

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4396 of 2018

Arising Out of PS.Case No. -300 Year- 2017 Thana -CHAINPUR District- BHABHUA (KAIMUR)

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Neyaz Alam, Son of Late Chhotkan Jamal, Resident of Mohalla Near Badijama Masjid, Ward No. 22 Bhabua, P.S. Bhabua, District Kaimur at Bhabua, At present posted Gramin Awas Sahayak Panchayat Sirbit, Block Chainpur, District – Kaimur at Bhabua.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh

For the Opposite Party/s : Mr. Sri Rajendra Prasad Nat

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 01-02-2018 Heard the learned counsels for the petitioner and the State.

The petitioner seeks bail in anticipation of his arrest in connection with Chainpur P.S. Case No. 300 of 2017 dated 15.11.2017 instituted for the offences under Sections 379/34 of the Indian Penal Code.

It has been alleged by the informant that the petitioner in his capacity as Assistant in Indira Awas Scheme had directed one of the functionaries of the Panchayat viz. Jitendra to facilitate the informant in withdrawing Rs. 49,000/- for Indira Awas Scheme and out of the aforesaid money, Rs. 25,000/- be appropriated and if the informant is not ready to pay the aforesaid Rs. 25,000/-, the entire money should be taken away. Pursuant to



such a direction, Jitendra, a co-accused snatched the money from the informant.

Learned counsel for the petitioner has submitted that an absolutely a false and concocted case has been lodged by the informant. In fact, the informant was one of the beneficiaries of Indira Awas Scheme and despite having received Rs. 49,000/- from the government, he never constructed any house. When the petitioner, in his capacity as Assistant in Indira Awas Scheme went to enquire, the present case was lodged against him.

Considering the nature of accusation against the petitioner, he is directed to be released in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (Rs. Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate II, Kaimur at Bhabua in connection with Chainpur P.S. Case No. 300 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

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