

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16671 of 2019

Arising Out of PS. Case No.-20 Year-2019 Thana- KRITYANAND NAGAR District- Purnia

1. SUKHDEO DAS, age-61 years Male, S/o Late Tej Narayan Das Resident of Village - Rampur Naya Tola, P.O.- Belwa, P.S.- Muffasil (Ranipatra) District- Purnea.
2. Nurul Islam @ Md. Nurul Islam aged about 55 years, Male, S/o - Late Md. Faiyaz Alam Resident of Village- Sarakpura, P.S.- Kochhadhaman, P.O.- Moudehat, District- Kishanganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Giri

For the Opposite Party/s : Mr.Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 26-03-2019 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

Petitioner no. 1 in this case is a retired Panchayat Sewak and petitioner no. 2 is presently serving as Executive Assistant in the Block Office within the district of Kishanganj are seeking anticipatory bail in connection with K. Nagar P.S. Case No. 20 of 2019 registered under Sections 406, 409 and 420 of the Indian Penal Code.

Learned counsel for the petitioners submits that in the year 2012-13 the benefit of Indira Awas Yojana were transferred to certain beneficiaries but inadvertently in the account of three beneficiaries the amount were credited



twice. It is submitted that it was a case of mistake in transfer of money and as soon as it has come to the notice of the competent authority the same has been take back from the beneficiaries. It is submitted that in these circumstances the petitioners may be allowed the privilege of anticipatory bail.

Learned A.P.P. for the State has opposed the prayer of anticipatory bail to the petitioners.

Considering the facts and circumstances of the case, wherein it is submitted that money had been transferred by mistake and the same has now been returned by the beneficiaries, there is no loss to the government exchequer, in the event of their arrest/surrender before the court below within a period of four weeks, let the above-named petitioners be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea, in connection with K. Nagar P.S. Case No. 20/2017, subject to condition that petitioners will join investigation by reporting to the Investigating Officer within a period of two weeks from



today and will cooperate in course of investigation. This will be in addition to condition prescribed under Section 438(2) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

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