

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17451 of 2019

Arising Out of PS. Case No.-148 Year-2017 Thana- NAWADA District- Nawada

PAPPU YADAV, Son of Chandeshwar Yadav @ Chando Yadav, resident of village- Pawra, P.O.-Pawra, P.S.-Nagar (Kadirganj), District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhay Kumar Singh

For the Opposite Party/s : Mr.Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5/ 25-07-2019

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in **Nawada Nagar (Kadirganj)**

P.S. Case No.148 of 2017 instituted for the offence under Section(s) 420, 409, 467, 468, 471, 120-B Indian Penal Code, Section 7, 13(a) of the Prevention of Corruption Act, 1988 and Section 4 of the Prevention of Money Laundering Act, 2002.

Counsel for the petitioner submits that he has been made accused in this case because he is husband of then Mukhiya, Soni Kumari. The instant case has been lodged on the basis of direction issued in CWJC No.7769 of 2014 (Fahmi Bari Vs. State of Bihar and ors.). The matter was enquired by ADG of Police, CID, Bihar, Patna, in compliance of order dated 14.12.2016. It was found that there has been irregularities and



misappropriation committed in various schemes during tenure of accused Soni Devi, wife of petitioner, who was Mukhiya of village- Pawra, including MANREGA and Indira Awas Yojna. The report further shows that assets acquired by accused Soni Devi, wife of the petitioner is not explainable with regard to income disclosed by them. It is also alleged that during the period there has been numerous communal incidents and during same period there has been numerous acquisition of land by accused Soni Devi. It is mentioned in the enquiry report that there is some nexus between communal disturbances and land dealings. On the basis of report submitted by CID, case has been registered.

Counsel for the petitioner has submitted that in the aforesaid writ application i.e. in CWJC No.7769 of 2014 Hon'ble Court directed for enquiry against the petitioner without hearing him. In that writ application, they were never noticed. It is further submitted that in the entire enquiry report, which is basis of the First Information Report, only vague and omnibus allegation has been levelled against the petitioner. The petitioner is not directly concerned with allegation because he was not Mukhiya of the village at that time. He has been made accused because he is husband of then Mukhiya Soni Devi.



Petitioner is in custody since 26.09.2018.

In the facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Special Judge, Vigilance-1, Patna**, in connection with **Nawada Nagar (Kadirganj) P.S. Case No.148 of 2017 (Special Case No.12 of 2017)**, subject to the condition that both the bailors shall be close relative of the petitioner.

(Sanjay Priya, J)

J. Alam/-

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