

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18612 of 2019**

Arising Out of PS. Case No.-35 Year-2018 Thana- NASRIGANJ District- Rohtas

RAJMATI DEVI Wife of Laxman Ram @ Laxman Paswan Resident of
Village - Nasriganj, P.S.- Nasriganj, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramashray Roy

For the Opposite Party/s : Mr. Parmeshwar Mehta

**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER**

3 27-06-2019 Heard learned counsel for the petitioner and the

State.

The petitioner seeks bail in **Nasriganj P.S. Case
No. 35 of 2018**, instituted for the offence under Section(s) 409
and 420 of the Indian Penal Code.

It is alleged in the written report that petitioner
received Rs.7,500/- under *Swachha Bharat Mission Yojna* for
construction of personal toilet but construction work has not
been done as per amount given to him.

Supplementary affidavit has been filed on behalf of
the petitioner. It is mentioned in paragraph-4 of the
supplementary affidavit that on perusal of letter No. 812 dated
10.6.2019 (Annexure-2) it appears that on 27.5.2019 husband
of petitioner namely, Laxman Paswan has filed petition before



the Executive Officer, Nagar Panchayat, Nasriganj for inquiry regarding construction of toilet in his house situated in Ward No. 7. On the basis of said petition, inquiry was done by *Nagar Prabhandak* and concerned officials. After inspection and spot verification, the officials of Nagar Panchayat submitted inquiry report on 29.5.2019. In course of inquiry, it was found that construction of toilet seat has been completed and the plaster has also been done after lodging First Information Report against the petitioner. Brick wall has also been raised and door has been fixed but plaster of the wall and molding of roof is yet to be completed, for which materials, like cement, sand etc. were lying there. The daughter-in-law of husband of the petitioner told that due to unavailability of mason, construction work is pending which will be completed shortly.

In such circumstances, petitioner has got the work completed which is evident from the inquiry report enclosed as Annexure-2 to the supplementary affidavit.

Petitioner is in custody since 15.1.2019 having clean antecedent.

Considering the aforesaid 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 **Sri Ravi Ranjan, learned Judicial Magistrate, 1st Class, Bikramganj, Rohtas,** in connection with **Nasriganj P.S. Case No. 35 of 2018,** subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

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