

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24363 of 2019

Arising Out of PS. Case No.-124 Year-2018 Thana- KUMAR KHAND District- Madhepura

Prabhat Ranjan, aged about 38 years, son of Upendra Narain Yadav, Resident of Village- Anand Bihar, P.S. and District- Madhepura, the then Village Awas Assistant, Gram Panchayat Baisadh Block- Kumarkhand, District- Madhepura. At present 'Village Awash Assistant' Gram Panchayat, Raghunathpur, Block Murliganj, District- Madhepura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Kameshwar Prasad Singh, Advocate

For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 22-04-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 409, 420 and 120(B)/34 of the Indian Penal Code registered in connection with Kumarkhand P.S. Case No. 124 of 2018.

3. It is submitted that the petitioner, who happens to be Gramin Awas Sahayak, has been falsely implicated on the allegation that as Gram Awas Sahayak, he along with other persons are said to have given the benefit of Indira Awas Yojna twice to the beneficiaries. It is submitted that the petitioner's role was merely to prepare the list of beneficiaries which was thereafter placed in *Aam Sabha* and ultimately finalized by the Block Development Officer. It is submitted that other co-accused persons such as B.D.O. and Mukhiya, namely, Manimala Kumari and Navin Kumar Sinha @ Nawin Kumar Sinha have been granted anticipatory bail by this Court vide orders dated 10.09.2018 and 10.10.2018 passed in Cr. Misc. No. 52427 of 2018 and Cr. Misc. No. 57588 of 2018,



respectively. Other Gramin Awas Sahayaks, namely, Arjun Kumar Ram and Sudhir Kumar have also been granted anticipatory bail by this Court vide orders dated 22.02.2019 and 12.04.2019 passed in Cr. Misc. No. 10915 of 2019 and Cr. Misc. No. 21037 of 2019, respectively. The petitioner claims clean antecedents.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura in connection with Kumarkhand P.S. Case No. 124 of 2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with further conditions --

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

BT/-

(Vikash Jain, J)

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