

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26842 of 2019

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

Mithilesh Kumar Son of Chandeshwari Prasad Yadav @ Chandeshwari Yadav
Resident of Village-Kolhua, P.S-Shankarpur, District-Madhepura, Presently
working as Village Awas Assistant Gram Panchayat Tengraha, Sikiyaha
Block-Kumarkhand, District-Madhepura ... Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner : Mr.Kameshwar Prasad Singh, Advocate

For the Opposite Party : Mr.Akhileshwar Dayal, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 17-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 409, 420 and 120-B/34 of the Indian
Penal Code.

The prosecution case, in short, is that the petitioner at
the relevant point of time, was working as Gramin Aawas
Sahayak. It is alleged that by extending financial benefits to the
same set of persons twice under the Indira Aawas Yojna, public
money has been misappropriated by him and others. Some of
the beneficiaries of the scheme are said to have alleged that the
Mukhiya of the Gram Panchayat had collected illegal money
from them, as has been mentioned in the report of the Sub-
Divisional Officer, which is the basis for registration of the FIR.

Learned counsel for the petitioner submits that so far as



this petitioner as Gramin Aawas Sahayak is concerned, it is alleged against him that he did not discharge his official duty properly while comparing the list of beneficiaries. It has also been argued that there is no chance of the petitioner fleeing from the course of justice and similarly situated co-accused Sanni Kumar has already been allowed anticipatory bail by this Court vide order dated 1.5.2019, passed in Cr.Mis.No. 28704 of 2019.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below it within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Madhepura in Kumarkhand Police Station Case No. 124 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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