

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28704 of 2019

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

SANNI KUMAR Son of Gorendra Kumar Resident of Village - Madhepura,
P.S. and District- Madhepura, At present Vill- Awas Assistant, Gram
Panchayat Bhan Tekthi, Block- Ghailarh, P.S and District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kameshwar Prasad Singh

For the Opposite Party/s : Mr.Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 01-05-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Kumarkhand P.S. Case No. 124 of 2018, disclosing offences under Sections 409, 420 and 120-B/34 of the Indian Penal Code.

The petitioner, at the relevant point of time, was working as Gramin Aawas Sahayak. It is the case of the prosecution that by extending financial benefits to the same set of persons twice under the Indira Aawas Yojna, public money has been misappropriated. 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.

Considering the above submissions, this application is allowed. Let the petitioner, above named, in the event of his arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each, to the satisfaction of the learned C.J.M., Madhepura in connection with Kumarkhand P.S.Case No. 124 of 2018, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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