

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46443 of 2019

Arising Out of PS. Case No.-43 Year-2019 Thana- SINDHWARA District- Darbhanga

MD.SUHAIL@MD.SOHAIL Son of Late Md. Yusuf Resident of Mohalla -
Khajasarai, Ward No. 46, P.S.- Laheria Sarai, Distt - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prafull Chandra Jha

For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 20-11-2019 Heard both sides.

The petitioner apprehends his arrest in Singhwara P.S.
Case No.43 of 2019 registered under Sections 420, 406, 409 and
120B of the Indian Penal Code.

Indira Awas Observer in his written report alleged that
the petitioner being In-charge Awas Assistant recommended for
payment of 2nd and 3rd installments for construction of the house
of Md. Amirul of village Bahuara, P.S. Hariharur but in fact the
photograph on which the petitioner made recommendation for
payment of 2nd and 3rd installments for construction and
completion of Prime Minister Awas Yojna of Md. Amirul is
fake.

Learned counsel for the petitioner submits that the 1st
installment was paid earlier. The petitioner of course prepared



Geo Tag report, but later on it transpired that the house with which the photograph was taken belongs to other. It is further submitted that 2nd and 3rd installments were paid on the recommendation of the petitioner and the petitioner is ready to deposit Rs.70,000/- in the government treasury subject to the result of the case. It is further submitted that now Md. Amirul has already constructed his house. Money was transferred in the account of Md. Amirul and there is nothing on record to show that any part of amount was paid to the petitioner but the fact remains that the petitioner without completion of the house of Md. Amirul recommended for 2nd and 3rd installments whereas Md. Amirul had not even constructed the house upto the plinth level for which he has been advanced under Prime Minister Awas Yojna, but the petitioner is ready to deposit Rs.70,000/- in the government treasury within two months.

Having considered the facts aforesaid, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Darbhanga in connection with



Singhwara P.S. Case No.43 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

The withdrawal of the amount deposited by the petitioner shall be subject to the result of the case.

(Prabhat Kumar Jha, J)

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