

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56825 of 2019

Arising Out of PS. Case No.-96 Year-2019 Thana- DEO District- Aurangabad

SIKANDAR KUSHWAHA @ SIKANDAR SINGH @ SIKANDAR
KUMAR Son of Ram Lakhan Singh Resident of Village - Akouni, P.S.-
Daudnagar, Dist.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 09-09-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Deo P.S. Case No.96 of 2019 registered under Sections
467, 468, 471, 420 and 120(B) of the Indian Penal Code.

The accusation is that on receiving the letter dated
27.07.2019 of the District Magistrate, Aurangabad, regarding
the illegality committed in the appointment of S.R.P./D.R.P
under Clean India Scheme meant for the purpose of inspiring all
the cleaners to free from “Open Toilet” under Lohiya Clean
Bihar Mission, by Kamlesh Tiwary, who is living at K.T. Hotel,
Deo, Aurangabad, the informant being the Block Development
Officer, Deo, along with the A.S.I. of Deo Police Station and



other police personnel made raid at Room No.104 of K.T. Hotel and in that course, seized 3 pieces of big diary, 5 pieces of small diary, five pieces of copy along with other documents and other materials from there. Thereafter, the seizure list of the same was prepared and copy of the same was handed over to Kamlesh Tiwary, who was apprehended from there. On query, the informant came to know from Kamlesh Tiwary that he used to take Rs.20,000/- from each beneficiary to provide the forged appointment letter for the joining as D.R.P./S.R.P under Lohiya Clean Bihar Mission and he also disclosed the name of the petitioner and four others involved in the alleged crime, saying that the petitioner has received Rs.700/- from each beneficiary for the construction of their toilet.

Learned counsel for the petitioner submits that while the allegation has been made against the petitioner to collect Rs.700/- illegally from each beneficiary for the construction of their toilet but not a single beneficiary has come forward to support the aforesaid allegation as made against the petitioner. The petitioner has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be



enlarged on bail on his furnishing bail bond of Rs.10,000/-
(Rupees Ten Thousand) with two sureties of the like amount
each to the satisfaction of the Chief Judicial Magistrate,
Aurangabad, in connection with Deo P.S. Case No.96 of 2019,
subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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