

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63 of 2020

Arising Out of PS. Case No.-98 Year-2018 Thana- HARNAUT District- Nalanda

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1. MADHURI DEVI Wife of Satyendra Prasad Resident of Village - Bodh Nagar, P.S.- Harnaut, (Gokhulpur), Distt - Nalanda.
 2. Khushbu Kumari D/o Anil Prasad Resident of Village - Bodh Nagar, P.S.- Harnaut, (Gokhulpur), Distt - Nalanda.
 3. Chandra Bhan Patel Son of Satyendra Prasad Resident of Village - Bodh Nagar, P.S.- Harnaut, (Gokhulpur), Distt - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabindra Prasad Singh

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 24-01-2020 Heard the learned counsel for the petitioners and the learned APP for the State.

This is an application for grant of anticipatory bail in connection with Harnaut (Gokhulpur) P.S. Case No. 98 of 2018, registered for the offence punishable under Sections 420, 406, 409, 120(B) and 34 of the Indian Penal Code.

The Block Development Officer, Harnaut (Nalanda) is stated to have filed a written complaint before the thana incharge, Gokhpulpur O.P. Harnaut on 10.4.2018 which has led to registration of the FIR in question and it has been alleged



therein that several beneficiaries have received undue benefits under the toilet construction schemes without actually constructing the toilet as some accused are members of the same family and they have taken illegal benefit in the name of construction of two toilets in one house. As far as the petitioners are concerned, it is alleged that they had also received illegal benefit.

The learned counsel for the petitioners has submitted that the petitioners have been falsely implicated in the present case and they are having a clean antecedent. The learned counsel for the petitioners has further submitted by referring to Annexure-2 to the present petition that the petitioners have already returned back the money in question, hence, their intentions were never bad, thus they are entitled to the privilege of anticipatory bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner, coupled with the fact that the petitioners are stated to have returned back the money in question to the Government, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the petitioners are directed to be enlarged on anticipatory bail, in the event of their arrest or surrender



before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Nalanda at Bihar Sharif in connection with Harnaut (Gokhulpur) P.S. Case No. 98 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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