

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23067 of 2021

Arising Out of PS. Case No.-121 Year-2020 Thana- GOVINDPUR District- Nawada

Ratan Yadav, Son of Ganauri Yadav, Resident of Village- Baniya Bigha, P.S.
Govindpur District- Nawadah.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar, Adv.

For the Opposite Party/s : Mr.Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-07-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

Learned counsel for the petitioner undertakes to remove the defects as pointed out by the office within four weeks of normal functioning of the court, failing which the office is directed to place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Sections 406, 409, 420 of the Indian Penal Code.

Prosecution case, in brief, is that a house of Pradhanmantri Indira Awas Yojna was sanctioned to the petitioner on 09.08.2019 but the petitioner without constructing his house received Rs.1,30,000/- by showing the constructed house of his younger brother and in connivance with the



employee concerned. As such it is alleged that he committed forgery and defalcated the Government money in connivance with the Government employee.

Learned counsel for the petitioner submits that the petitioner is innocent and has not committed any kind of forgery. He further submits that as per FIR, the allegation is that the petitioner has not constructed his own house rather he showed another constructed house belongs to his elder brother is completely false. He further submits that the petitioner has already constructed own house uptill the eleventh point and lastly Dhalai was pending. The Mukhiya of the such Gram Panchayat has been granted certificate, which is annexed as Annexure-2 of the bail application.

Learned counsel for the petitioner further submits that the custody of the petitioner has wrongly been mentioned in para 11 as 09.12.2019 instead of 09.12.2020. In fact, he is languishing in judicial custody since 09.12.2020. The petitioner has got no criminal antecedent, which is mentioned in para 3 of the bail petition.

Learned APP for the State opposes the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances of



the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each in connection with Govindpur P.S. Case No. 121/2020 to the satisfaction of learned Court below where the case is pending.

(Anjani Kumar Sharan, J)

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