

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81442 of 2019

Arising Out of PS. Case No.-75 Year-2017 Thana- RAHIKA District- Madhubani

1. NATHUNI SAFI, Son of Dasai Safi, Resident of Village- Marar, P.O.- Jitwarpur, P.S.- Rahika, District- Madhubani
2. Vaso Yadav, Son of Jaje Yadav, Resident of Village- Marar, P.O.- Jitwarpur, P.S.- Rahika, District- Madhubani
3. Bechan Saday @ Bechan Sada, Son of Doman Saday, Resident of Village- Lalu Nagar (Musahari), P.S.- Rahika, District- Madhubani

... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr. Ratanakar Jha, Adv.

For the Opposite Party : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

9 27-01-2021 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with Rahika P.S. Case No. 75 of 2017 (CRI Case No. 1063 of 2017), registered under Sections 419, 420, 467, 468 and 471 of the Indian Penal Code.

The accusation is that in regard to allegation made in column no. 2 of the application of Lallan Kumar Mishra, Right to Information activist of village Madar, post Jitwarpur, block and P.S. Rahika, district Madhubani, information was sought, due to that reason Madhubani P.S. Case No. 24 of 2015 was instituted on false allegation and the case was found untrue. It



was also detected that the witnesses of the said case took benefit twice of Indra Awas Yojna by filing application twice, who are Nathuni Safi (petitioner no. 1), Ram Sundar Paswan, Gangadhar Paswan, Bechan Sada (petitioner no. 3), and Vaso Yadav (petitioner no. 2).

Learned counsel appearing for the petitioners submits that it would appear from paragraphs 20, 23 and 190 of the case diary that the allegation is made against Gangadhar Paswan about taking the benefit of Indra Awas Yojna, the same was found false, on verification, but, in spite of repeated request to the Block Development Officer, Rahika Block, Madhubani, he did not furnish any document showing that the petitioners and other accused named in the first information report had taken the benefit of Indra Awas Yojna twice. In fact, the present case has been lodged with ulterior motive.

Having regard to the facts and circumstances of the case, let the petitioners, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Rahika P.S. Case No. 75 of 2017 (CRI Case No. 1063 of 2017) shall be released on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the



Additional Chief Judicial Magistrate, I, Madhubani, or the
successor Court subject to the conditions as laid down under
Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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