

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59556 of 2023**

Arising Out of PS. Case No.-352 Year-2022 Thana- TRIVENIGANJ District- Supaul

Khattar Yadav S/O Laturi Yadav Village- Pattarghati Ward No.5, Ps-
Triveniganj, Dist- Supaul

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Prafull Chandra Thakur, Advocate

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 18-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Triveniganj P.S. Case No. 352 of 2022 registered for the offences punishable under Sections 420, 406 and 34 of the Indian Penal Code. He has got no criminal antecedent.

3. As per the prosecution story, according to the informant, who is Block Development Officer, Triveniganj, the beneficiaries of Pradhan Mantri Awas Yojana despite getting advance amount for constructing their houses have not completed construction of their house rather they are using the amount for some other purpose. The petitioner is said to be one amongst them who has received Rs. 40,000/- and is also using



the same for some other purpose.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that after verification the Block Development Officer vide its Memo No. 1255-2 dated 16.08.2023 has clarified that the petitioner has completed construction of his house for which he was paid Rs. 40,000/- under the Pradhan Mantri Awas Yojana in the year 2019-2020.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the Memo No. 1255-2 dated 16.08.2023 issued by the Block Development Officer, Triveniganj showing that the petitioner has already completed the construction work of his house for which he has received Rs. 40,000/- under the Pradhan Mantri Awas Yojana in the year 2019-2020, this Court directs that in case of his arrest or surrender within a period of six weeks from today, the petitioner above named be released on bail in connection with Triveniganj P.S. Case No. 352 of 2022 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Supaul subject to the conditions as



laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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