

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14235 of 2024

Arising Out of PS. Case No.-240 Year-2022 Thana- BARHARIA District- Siwan

Sanjay Paswan @ Sanjay Kumar Paswan S/O SURENDRA PRASAD
MANJHI @ SURENDRA PASWAN @ SURENDRA VILLAGE-
PAHARPUR, PS. BARHARIA, DIST. SIWAN, BIHAR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh

For the Opposite Party/s : Mr. Anita Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 4 09-08-2024 1. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of regular bail, arises out of Barharia Police Station Case No. 240 of 2022 dated 30.05.2022, disclosing offences under Sections 420, 409 of the Indian Penal Code and Section 7 of the Prevention of Corruption Act, 1988.
3. The anticipatory bail application of the petitioner was rejected by this Court in Cr. Misc. No. 35417 of 2023 *vide* order, dated 21.07.2023. Thereafter, the petitioner surrendered before the concerned Court and he is in custody since 14.09.2023.
4. The prosecution case is that the petitioner being the



ward member, accepted bribe/illegal money from the beneficiaries of Indra Awas Yojana which was circulated through viral video and the newspaper.

5. Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case due to the fact that he had raised the voice against the irregularities in the selection of the beneficiaries of the Pradhan Mantri Awas Yojana by the official concerned. He further submits that the petitioner being the ward member has no role to play in the selection of the beneficiaries under the Pradhan Mantri Awas Yojana for payment of money as it is the Gram Panchayat, Awas Sahayak, Circle Officer, Mukhiya and the Block Development Officer have responsibility and control for implementation of the Pradhan Mantri Awas Yojana.

6. Learned counsel for the State opposes the prayer for bail and submits that the offence against the petitioner is serious and he being the elected member of the concerned ward misused his official position and defrauded and cheated the beneficiaries and accepted bribe of Rs. 75,000/-.

7. Regards being had to the submissions made by the parties and taking into consideration the fact that petitioner is in



custody since 14.09.2023 and the charge sheet has already been submitted, there is no likelihood that the petitioner will abscond or tamper with the evidence, I am inclined to grant regular bail to the petitioner.

8. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount, each to the satisfaction of learned Special Judge, Vigilance, Muzaffarpur, Bihar, in connection to the Barharia Police Station Case No. 240 of 2022 dated 30.05.2022, disclosing offences under Sections 420, 409 of the Indian Penal Code and Section 7 of the Prevention of Corruption Act, 1988.

9. This is subject to the condition that the petitioner shall present himself before the Court, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J)

HarshPandey/-

U		T	
---	--	---	--

