

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32623 of 2024

Arising Out of PS. Case No.-24 Year-2014 Thana- MUSRIGHRARI District- Samastipur

1. Ranju Devi Wife of Rajesh Paswan Resident of village - Gangapur, P.S.- Musarigharari, District - Samastipur.
2. Shila Devi Wife of Subodh Paswan Resident of village - Gangapur, P.S.- Musarigharari, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jitendra Narain Sinha, Advocate Ms. Khushi Awadh, Advocate
For the Opposite Party/s	:	Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 22-05-2024 Heard Ld. counsel for the petitioners and Ld. APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Musarigharari P.S. Case No. 24 of 2014, registered for the offences punishable under Sections 406, 409 and 420 of the Indian Penal Code.

3. The prosecution case as emerges from the FIR is that the Petitioners along with two Accused persons has fraudulently took the money of the Indira Awas Yojna and had not constructed their houses. Despite notice, they did not return the amount.



4. Ld. counsel for the petitioners submits that the Petitioners are innocent and have falsely been implicated in this case. He further submits that they have constructed the house out of the grant amount paid to the Petitioners by the Government under Indira Awas Yojna. The Petitioners have also filed photo stat copy of the certificate issued by local mukhiya to this effect.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioners have no criminal antecedents.

7. Ld. APP for the State vehemently opposes the prayer of the Petitioners for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Ld. Judicial Magistrate, Ist Class, Samastipur, in



connection with Musarigharari P.S. Case No. 24 of 2014,
subject to the conditions as laid down under Section 438 (2)
Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court
below that the petitioners have any criminal antecedents, Ld.
court below shall cancel the bail bonds of the petitioners after
hearing them and getting satisfied that the petitioners have
concealed their criminal antecedents despite their knowledge of
the same.

(ii) In case, it is brought to the notice of the court
below that statement regarding previous bail petition is wrong,
Ld. court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J)

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