

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.77596 of 2023**

Arising Out of PS. Case No.-128 Year-2016 Thana- GAUNAHA District- West Champaran

AMIT KUMAR SRIVASTAVA S/o Birendra Kumar Prasad R/o village- Shivganj, Narkatiaganj, Ward No.- 8, P.S.- Shikarpur, District- West Champaran. Presently working as Gramin Awas Sahayak Indra Awas Yojna), Bolck Gaunaha, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner : Mr. Bimlesh Kumar Pandey, Advocate  
For the State : Mr. Binay Krishna, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

3      05-03-2024                      Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 409 and 420 of the Indian Penal Code and Section 3(i)(x) of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act.

3. The prosecution case, in brief, is that this petitioner, along with other accused person, illegally collected a sum of Rs. 45,000/- from the villagers to provide the benefits of the Prime Minister Awas Yojna.

4. It is submitted by learned counsel appearing on behalf of the petitioner that the petitioner has falsely been implicated in this case merely on suspicion. It is next submitted that police after investigation has submitted final form against the petitioner and other accused person and none of the alleged



persons have come forward to support the prosecution case.  
Petitioner claims clean antecedent.

5. Learned A.P.P. for the State has vehemently  
opposed the prayer for grant of anticipatory bail.

6. Considering the aforesaid facts and circumstances,  
nature of accusation and clean antecedents of the petitioner, the  
prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within  
a period of six weeks from today, let the above named petitioner  
be enlarged 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 SDJM, Bettiah, West Champaran, in  
connection with Trial No. 2582 of 2021 (arising out of Gaunaha  
P.S. Case No.128 of 2016), subject to condition as laid down  
under Section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Singh, J)**

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