

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25778 of 2025

Arising Out of PS. Case No.-123 Year-2025 Thana- FATEHPUR District- Gaya

Rajesh Kumar son of Rampravesh Yadav Village- Rampur P.S.- Rampur
District -Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Alisha Kumari (BDO, Fatehpur, Gaya) Daughter of yogendra Prasad
village- Chakjalal, Ps- Pandarak, Dist- Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Prithivi Raj Singh, Advocate
For the State : Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 13-05-2025 Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 318(4) and
61(2) of the B.N.S..

3. As per prosecution case, this petitioner, who was
working as the Rural Housing Assistant, is alleged to have
committed irregularity in allocation of
Pradhanmantri/Mukhyamantri Aawas Yojna and thereby gave
benefits to illegal persons against the departmental rules.

4. It is submitted by learned counsel appearing on
behalf of the petitioner that petitioner is quite innocent and has



committed no offence. It is further submitted that during pendency of this case, petitioner has already been removed from service vide Memo No. 304 dated 26.02.2025 by order of D.D.C., Gaya and he is no more in service. Lastly, it is submitted that at this stage, without admitting his guilt, petitioner is ready to deposit an amount of Rs. 1,00,000/- (Rupees one lacs).

5. Considering the nature of accusation and aforesaid undertaking of the petitioner, prayer for grant of anticipatory bail to the petitioners is allowed.

6. Accordingly, in the event of arrest/surrender within a period of eight 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 C.J.M., Gaya in connection with Fatehpur P.S. Case No. 123 of 2025, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure, along with the following terms and conditions:

- A. At the time of furnishing bail-bond **Rs. 1,00,000/-** (Rupees one lacs) shall be deposited through cash in the *Nazarat* of the Civil Court, Gaya.
- B. The aforesaid payment shall be subject to the final outcome of the case.



C. If petitioner fails to comply with the aforesaid direction of this Court, the Court below is free to cancel the bail-bond of the petitioner.

7. It is made clear that without going into the merit of the case, the aforesaid order has been passed only for the purpose of grant of bail.

(Prabhat Kumar Singh, J)

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