

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79871 of 2025

Arising Out of PS. Case No.-897 Year-2017 Thana- MOTIHARI TOWN District- East
Champaran

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1. Rajkishore Paswan @ Raj Kishor Paswan S/o- Suraj Paswan Resident of Village- Kolhuarwa, Ward no. 18, P.S.-Motihari Town, District- East Champaran
 2. Nirgun Paswan @ Nirgun Hazra S/o- Janak Hazra Resident of Village- Kolhuarwa, ward no. 18, P.S.-Motihari Town, District- East Champaran
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Samir Kumar, Advocate
For the Opposite Party/s : Mr. Lalan Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-12-2025 1. Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 409 and 34
of the Indian Penal Code.

3. Learned counsel for the petitioners submits that
petitioners are persons with clean antecedent and the informant
alleges that under the scheme Swachh Bharat Mission, the
petitioners obtained first installment of Rs.7,500/- to construct
lavatory in their house but they did not construct the lavatory
and, thus, misappropriated the government amount.

4. Learned counsel for the petitioners submits that
petitioners have been falsely implicated in the instant case by



the informant. It is further submitted that the FIR was instituted in haste without enquiring as to whether the lavatory has been constructed or not. It is next submitted that today even if the authorities come to the house of the petitioners to enquire, they will find the lavatory present.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, let the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/Successor Court in connection with Motihari Town P.S. Case No. 897 of 2017, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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