

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77804 of 2025

Arising Out of PS. Case No.-130 Year-2015 Thana- JALE District- Darbhanga

Ziyaul Haque @ Md Ziyaul Haque, age about 42 years, Male, Son of Md. Alam, Resident of Village- Koilajan (Koyalajan), P.S.- Biraul, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate
mr. Manish Kumar No. 2, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

4 19-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Jalley (Jaley) P.S. Case No. 130 of 2015 instituted for the offences punishable under Sections 420, 409, 467, 468, 471 and 34 of the Indian Penal Code.

3. As per allegation in the FIR, petitioner is happens to be an Assistant of Indira Awas Yojna and the allegation against him is that he illegally collected money from the beneficiaries of Indira Awas Yojna and illegally granted Indira Awas to the persons, who had already been benefited under the scheme.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has



falsely been implicated in this case. He submits that the entire allegation is false and concocted. He further submits that the name of beneficiaries of 'Indira Awas' has been declared by the Committee at Block Level in the Chairmanship of the Block Development Officer, Jalley, Darbhanga, on the basis of proposal made by the Gram Sabha and after considering the guidelines given by the State Government from time to time. He next submits that the petitioner has neither demanded any illegal gratification from any beneficiaries nor received any amount from them and no such evidence has been collected by the police; only oral allegation of irregularities has been levelled against the petitioner. He further submits that other persons, namely, Prabhu Khatbey, Rajeev Kumar and Mahesh Chandra have been granted the privilege of anticipatory bail by the Co-ordinate Benches of this Court vide orders dated 22.12.2015, 06.04.2018 and 05.02.2018 in Cr. Misc. Nos. 51961 of 2015, 10103 of 2018 and 5131 of 2018 respectively. Petitioner is in custody since 21.08.2025.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. From perusal of the FIR and impugned order of the learned District and Additional Sessions Judge-I, Darbhanga



dated 12.09.2025, it appears that on the basis of written report of the informant, FIR has been registered under Sections 420, 409, 467, 468, 471 and 34 of the Indian Penal Code against two co-accused persons including the present petitioner. It also appears that one co-accused Prabhu Khatbey is not sent up by the Investigating Officer, who is named accused as it appears from the impugned order. The chargesheet has been submitted against ten co-accused persons including the present petitioner. Similarly situated co-accused persons namely, Prabhu Khatbey, Rajeev Kumar and Mahesh Chandra have been granted the privilege of anticipatory bail by the Co-ordinate Benches of this Court vide orders dated 22.12.2015, 06.04.2018 and 05.02.2018 in Cr. Misc. Nos. 51961 of 2015, 10103 of 2018 and 5131 of 2018, respectively. From perusal of the letter of the District Rural Development Agency, Darbhanga dated 27.01.2015 at para 6 as submitted by learned counsel for the petitioner that the allegation of gratification of Rs. 10,000/- is not made out, so considering all these aspects of the case and submission of learned counsel for the petitioner and similarly situated co-accused persons have been granted anticipatory bail before the Co-ordinate Benches of this Court, I am inclined to grant bail to the above named petitioner.



7. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-1st, Darbhanga in connection with Jalley (Jaley) P.S. Case No. 130 of 2015, subject to the condition that the petitioner has to deposit **Rs. 10,000/- (Ten Thousand) before the concerned authority** and thereafter, the learned Trial Court shall on receipt of such payment, accept the bail bonds of the petitioner.

(Ramesh Chand Malviya, J)

Anand Kr.

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

