

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31004 of 2026

Arising Out of PS. Case No.-23 Year-2026 Thana- KASBA District- Purnia

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Ali Hasan S/O Late Gulam Rasul R/O Vill.- Kusha Kasba Lakhna, P.S-
Kasba, District- Purnia.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh, Advocate

For the Opposite Party/s : Mr.Sunil Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 13-05-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The accused-petitioner, named in the F.I.R., is apprehending his arrest in connection with Kasba P.S. Case No. 23 of 2026 registered for the offences punishable under Sections 316(2), 318(4), 316(5) & 3(5) of the Bhartiya Nyay Sanhita, 2023 (in short, the 'B.N.S.').

3. As per FIR, petitioner alleged to cheat the innocent villagers and taken Rs. 1500-2000/- at the instance of tagging their house with Geo Tag as to get benefit of P.M. Awas Yojana during the survey. The informant is Block Development Officer.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner was implicated only for the reason that his wife is Ward Member as same is apparent from FIR itself. It is pointed out that there is neither any recovery of cash from this



petitioner nor he was trapped with any cash. It is submitted that as the Ward Member was in dispute with Mukhiya of the village, petitioner being husband was falsely implicated with the present crime in question without having any connecting material. Petitioner is a man of clean antecedent.

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

6. In view of the aforesaid factual submissions and by taking note of the fact as implication of petitioner *prima facie* appears being husband of the Ward Member as per FIR itself, accordingly, above-named petitioner, who is a man of clean antecedent, in the event of his arrest/surrender within a period of four weeks from this order, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Special Judge, Vigilance-cum-Additional Sessions Judge-II, Bhagalpur/concerned court in connection with Kasba P.S. Case No. 23 of 2026, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

Rajeev/-

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