

Dhirendra Kumar Ram@dhirendra Kumar Vs. the State of Bihar

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Court : Patna

Decided On : May-24-2012

Appellant : Dhirendra Kumar Ram@dhirendra Kumar

Respondent : The State of Bihar

Judgement :

IN THE HIGH COURT OF JUDICATURE AT PATNA Criminal Miscellaneous
No.2075 of 2012

===== Dhirendra
Kumar Ram@Dhirendra Kumar Petitioner/s Versus The State Of Bihar
.... Opposite Party/s

===== with
Criminal Miscellaneous No.2980 of 2012

===== 1.
Ramesh Dubey 2. Rita Devi Petitioner/s Versus The State Of Bihar
Opposite Party/s

===== with
Criminal Miscellaneous No.2985 of 2012

===== 1. Rishi
Prasad 2. Arjun Kumar 3. Raj Kumar Ram Petitioner/s Versus The State Of
Bihar Opposite Party/s

===== CORAM:
HONOURABLE MR. JUSTICE DINESH KUMAR SINGH ORAL ORDER (Per:
HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

24. 01-2012 Heard learned counsels for the petitioners and the State. The petitioners are apprehending their arrest in a case registered under Sections 197, 198, 199, 200, 420, 406/511 and 34 of the Indian Penal Code. It is alleged against Dhirendra Kumar @ Dhirendra Patna High Court Cr.Misc. No.2075 of 2012 (2) dt.24-01-2012 2/3 Kumar that he received Rs. 30,000/- under Indira Awas Scheme by filing an affidavit that his father is in the military service and he has no house but subsequently it is found that he has a house. Learned counsel for the petitioner submits that the petitioner belongs to the scheduled castes category and the alleged house is of his uncle and he has made half of the construction from the money receipts and he is a member of B.P.L. It is submitted on behalf of Ramesh Dubey and Rita Devi that they have received the money but they belong to B.P.L. and they have no other house apart from that whereas it is submitted on behalf of Rishi Prasad, Arjun Kumar and Raj Kumar Ram that they have not received the money though the sanction was made in their favour. The accusation made against B.P.L. families creates doubt about the instrumentality of State as before levelling accusation of being beneficiaries under Indira Awas Scheme the prosecution ought to have been launched against the persons who put the petitioners under B.P.L. category. Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail in the event of their arrest or surrender before the learned court below within a Patna High Court Cr.Misc. No.2075 of 2012 (2) dt.24-01-2012 3/3 period of twelve weeks from today, on furnishing the bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar In connection with Simari P.S. Case No. 191 of 2011 subject to the conditions as laid down under Section 438(2) of the Cr. P.C. Let the order be transmitted to the District Magistrate, Buxar. (Dinesh Kumar Singh, J.) Amrendra/-