

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.26058 of 2015**

Arising Out of PS.Case No. -65 Year- 2015 Thana -BHORE District- GOPALGANJ

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Parmanand Prasad S/o Dayanand Prasad, Resident of village- + P.O. Uttarthu, P.S.-Bind District- Nalanda ( Bihar Sharif). Presently posted as Block Officer Bhore Block, District- Gopalganj.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Dewendra Narayan Singh, Advocate.

For the Opposite Party : Mr. Murlidhar(App)

For the B.S.F.C. : Mr. Shailendra Kumar Singh, Advocate.

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

4      03-11-2015      Heard both sides.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 409 and 34 of the Indian Penal Code.

The petitioner was posted as Block Statistical Officer in Bhore block and he was deputed as in-charge of purchase centre, Bhore. On 03.12.2014, the petitioner purchased paddy of Rs. 15,57,994/- but he did not supply any amount of paddy to any of the miller. Similarly, the petitioner was entrusted Rs. 31,79, 536/- to purchase of wheat for the year 2013-14, but the petitioner neither produced any account in regard to wheat nor supply the wheat to the godown of the F.C.I. The petitioner was noticed on

10.12.2014 by Letter No. 1603, but he did not give any satisfactory reason.

Learned counsel for the petitioner submits that the petitioner supplied all the paddies to the miller, but the same was rejected and the wheat and paddy were kept in godown, but nothing was found. It is further submitted that a departmental proceeding was initiated against the petitioner and he has been exonerated. The certificate case is also lodged against the petitioner for realization of the aforesaid amount.

On the other hand, learned counsel for the B.S.F.C. submitted that it is not an enquiry report and the petitioner did not submit any plausible explanation about the entrusted articles.

Considering the facts aforesaid and the facts that the petitioner purchased paddy of Rs. 15,57,994/- and wheat of Rs. 31,79, 536/-, but he did not give any satisfactory reply for the whereabouts of the paddy and the wheat and thereby he is alleged to have misappropriated huge amount, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

**(Prabhat Kumar Jha, J.)**

KKSINHA/-

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