

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31789 of 2016

Arising Out of PS.Case No. -84 Year- 2016 Thana -NOKHA District- SASARAM (ROHTAS)

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Brajendra Singh @ Brajendra Kumar Singh @ Bijendra Singh, son of Late Ram Naresh Singh, Resident of Village- Kulhariya, P.S.- Koilwar, District- Bhojpur. at present posted as Block Statistic Supervisor Chaugain, Buxar.

.... Petitioner

Versus

1. The State of Bihar.
2. Dinesh Prasad Singh, the District Manager, State Food Corporation, Rohtas at Sasaram.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh, Adv.
For the Opposite Party/s : Mr. A.P.P.
: Mr. Prabhat Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 26-08-2016 Heard Sri Y.C. Verma, learned Senior Counsel, who was assisted by Sri Rajani Kant Singh, learned counsel for the petitioner , learned Addl. Public Prosecutor as well as Sri Prabhat Kumar Singh, learned counsel, who has appeared on behalf of Opp.Party no.2/B.S.F.C.

The sole petitioner, who is named as accused in Nokha P.S. Case No.84/2016 registered for the offence under Section 406, 409 and 420 of the Indian Penal Code, has prayed for grant of bail in the event of his arrest.

It was submitted by learned Senior Counsel appearing on behalf of the petitioner that the allegation that the

petitioner has sold paddy on lower rate is incorrect. He submits that whatever action was taken by the petitioner in the capacity of Block Statistic Supervisor he has done as per direction of the superior authority. Learned counsel for the petitioner, by way of referring to Annexure-2 to the petition i.e. a communication made by the Director, Accounts to the District Magistrate, Rohtas dated 15.07.2013, tried to persuade the Court that even no shortage was found in the godown. On the aforesaid ground, a prayer has been made for grant of anticipatory bail, whereas learned Addl. Public Prosecutor as well as learned counsel for Opp.Party no.2/B.S.F.C., by way of referring to F.I.R. submit that the petitioner is the main accused and there is allegation of misappropriation of public fund to the tune of Rs.14 lacs and odd against him in relation to procurement and auction sale of paddy.

Besides hearing learned counsel for the parties, I have also perused the materials on record including the F.I.R. After going through the F.I.R. itself, the Court is satisfied that it is not a fit case for extending the privilege of anticipatory bail.

The petition stands dismissed.

(Rakesh Kumar, J)

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