

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66361 of 2018

Arising Out of PS. Case No.-276 Year-2018 Thana- UDWANTNAGAR District- Bhojpur

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Dinesh Prasad Singh son of Satya Narayan Singh, Resident of Village-
Nawada Ben, P.S. Udwant Nagar, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Ataul Haque, Advocate
For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 14-12-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks pre-arrest bail in connection with
Udwant Nagar P.S. Case No.276 of 2018 registered under
Sections 406, 409 and 420 of the Indian Penal Code.

The allegation against the petitioner is that in the
financial year 2017-18 872 quintals paddy was purchased
through Nawadaben PACS. The petitioner, being Chairman of
the said PACS, was required to deposit proportionate custom
milled rice (for short 'CMR') till 31.07.2018 in the Bihar State
Food Corporation. Though 270 quintals of CMR, was deposited,
he failed to deposit 314.24 quintals CMR as a result of which
the Bihar State Food Corporation sustained loss of rupees seven
lacs twenty six thousand nine hundred sixty five and fifty paise.



It is submitted by the learned counsel for the petitioner that the allegation made against the petitioner is not correct. Though there has been some delay in depositing the CMR, the petitioner is ready to deposit the balance CMR or the price equivalent thereto in instalment. The further contention is that owing to unavoidable reasons and compelling circumstances, the petitioner defaulted in depositing the CMR within the stipulated time.

On the other hand, learned counsel for the State opposed the application for grant of pre-arrest bail to the petitioner. He contended that it is a clear case of embazzlment of government fund.

Having regard to the nature of allegation and the submissions advanced at the Bar, I am not inclined to grant pre-arrest bail to the petitioner.

The application for grant of pre-arrest bail is rejected.

(Ashwani Kumar Singh, J)

Md. S/-

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