

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14354 of 2019

Arising Out of PS. Case No.-401 Year-2018 Thana- CHAPRA MUFFASIL District- Saran

VIDYANAND PRASAD SINGH Son of Ram Sudin Singh Resident of
Maricha, P.S. Tajpur, Distt.- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ramesh Das Son of Late Sakhichand Das District Managing Director, Bihar
State Food Corporation, Chhapra

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Kant Kumar

For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 27-08-2019 This application, for grant of anticipatory bail,

arises out of Muffasil Chapra P.S. Case No. 401/2018,

disclosing offences under Sections 406/420 and 34 of the Indian

Penal Code.

Allegation as per F.I.R. is that the PACS has not
supplied the CMR physically as per the stock shown in the list
in front of their names as per the rules of the PACS have to
supply the rice till 31.07.2018 and the rice have been shown
received on line by the petitioner, who is data entry operator
and the same has also been mentioned by him in the register of
godown. It has further been alleged that since the rice has not
been received physically but the same has been shown to be



received by data entry operator online. Thus, this petitioner in connivance with Assistant Godown Manager has sold the huge quantity of CMR and defalcated/ embezzled Rs. 1,15,65,654/- of the Government revenue.

Submission of learned counsel for the petitioner is that he is a contractual employee working on the post of Data Entry Operator and has falsely been implicated in this case and in fact for the alleged defalcation Assistant Godown Manager and PACS Chairman are responsible and without making proper enquiry, the petitioner has been made accused in this case as well as a certificate proceeding has also been initiated against him.

Learned counsel for the State as well as learned counsel appearing on behalf of BSFC opposed the prayer for bail and submitted that in enquiry, the allegation against the petitioner is found true and there is allegation against the petitioner and co-accused of defalcating huge amount and further investigation is still going as such, the petitioner does not deserve the privilege of anticipatory bail.

Having heard both sides, considering the facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner may



surrender before the court below and make prayer for regular bail and if any such application is filed, the court below after considering the materials collected during course of investigation, will dispose of the prayer for bail of the petitioner, without being prejudiced by this order.

This application is, accordingly, dismissed

(Vinod Kumar Sinha, J)

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