

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24417 of 2019

Arising Out of PS. Case No.-11 Year-2019 Thana- SURYAPUR District- Rohtas

MULAYAM SINGH, Son of Amar Singh, Resident of Village - Kalyani, P.S.-
Suryapura, Dist.- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Bhushan Singh
For the Opposite Party/s : Mr. Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

5 06-11-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Surayapura P.S. Case No. 11 of 2019 disclosing the offence under Sections 420, 406 and 409/34 of the Indian Penal Code.

There is allegation of misappropriation of a sum of Rs.12,49,100/- against the persons named in the First Information Report including the petitioner. The petitioner, at the relevant point of time was supplier. The petitioner contends that he had supplied articles worth Rs.12,49,100/- under *Mukhaya Mantri Gramin Pay Jal Nischay Yojana* to the concerned *Panchayat* and if there is any misappropriation, it is at the end of the functionaries of the *Gram Panchayat*, when the matter was taken up on 17.04.2019, following order was



passed:-

“Learned counsel for the petitioner has submitted that in the entire transaction which has been alleged in the First Information Report, leading to misappropriation of a sum of Rs.12,49,100.00, the petitioner’s role had been of supplier. He had supplied the materials as per the standard and if the articles have been misappropriated, the same might have been done by the person(s) to whom the articles had been supplied by the petitioner.

Let petitioner file a supplementary affidavit, giving the details of the material supplied by him disclosing the source from where he had purchased the same.”

In compliance of the said order, a supplementary affidavit has been filed. The said supplementary affidavit does not disclose at all the source from where the petitioner had purchased the articles for their supply to the *Panchayat*.

This application, in my opinion, has therefore, no merits and is, accordingly, dismissed.

However, the petitioner is directed to surrender before the court below within four weeks from today and seek regular



bail, if so advised. If he does so, his application for regular bail shall be considered on its own merit without being prejudiced by rejection of the present application for grant of anticipatory bail by this Court.

(Chakradhari Sharan Singh, J)

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