

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11820 of 2021

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

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

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Ramesh Das Son of Sakhichand Das District Manager Bihar State Food Corporation, Chhapra.

... .. Opposite Party/s

Appearance :

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

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

5 29-04-2022 Heard the learned counsel for the petitioner and
learned APP for the State through video conferencing.

The petitioner apprehends his arrest for the offences alleged under Sections 406, 420 and 34 of the Indian Penal Code, registered in connection with Chhapra Muffasil P.S.Case No. 401 of 2018.

As per allegation, 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 has been shown received online by the petitioner, who is data entry operator and the same has also been mentioned by him in the register received by data entry



operator online. As such, the petitioner, in connivance with the Assistant Godown Manager, has sold the huge quantity of CMR and defalcated/embezzled Rs. 1,15,65,654/- of the government revenue.

The learned counsel for the petitioner has submitted that the petitioner is data entry operator and his duty is only to enter the data received by him and he performed his duty by entering the data which was supplied to him by the department.

On the other hand, the learned APP Mr. Shailendra Kumar has submitted that earlier the prayer for anticipatory bail of the petitioner was rejected by this Court vide order dated 27.08.2019 in Cr. Misc. No.14354 of 2019. As such, the present anticipatory bail application is not maintainable.

Considering the above facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioner. The anticipatory bail application is accordingly dismissed.

(Nawneet Kumar Pandey, J)

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