

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60477 of 2021

Arising Out of PS. Case No.-60 Year-2021 Thana- RAGHOPUR District- Supaul

Ghanshyam Singh S/o Sachidanand Singh Resident of Village- Lalpur
Sauropatti, P.S.- Singheshwar, Distt- Madhepura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Murari Narain Chaudhary

For the Opposite Party/s : Mr.APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 07-06-2022 The learned counsel for the petitioner is directed to re-move all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks anticipatory bail in connection with Raghopur P.S. case no. 60 of 2021, registered for the offence punishable under Section 409 and 420 of the Indian Penal Code.

Allegedly petitioner and co-accused misappropriated sum of Rs. 46,51,500/- entrusted to them for the purpose of construction of drainage under chief minister scheme.

The main submissions advanced by learned counsel for the petitioner are that at the time of alleged occurrence he was simply a panchayat secretary of the panchayat concerned and he was implicated in this case due to village politics as the construction work for which the alleged amount was released to



the panchayat was being done by the ward members and this petitioner had no role in the scheme in respect of which the said money was sanctioned and more-over the allegation leveled against the petitioner is completely vague. Further submissions is that the petitioner has now retired from his service having no bad remark in the whole career of his service.

Learned APP has opposed the prayer for bail.

Heard both the sides and perused the FIR. The present case relates to embezzlement of Rs. 46, 51,000/- sanctioned to concern panchayat where the petitioner was posted as panchayat secretary and as per allegation the petitioner did not comply with the directions issued with regard to the use of alleged money and the most important fact going against the petitioner is that after the alleged wrong he deposited Rs. 9,20,100/- in the bank account from which the alleged embezzled amount was withdrawn. The case is under investigation.

Considering all the above facts in opinion of this Court it is not a fit case for grant of anticipatory bail to the petitioner, accordingly, his prayer for bail stands rejected.

(Shailendra Singh, J)

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