

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63108 of 2021**

Arising Out of PS. Case No.-7 Year-2016 Thana- SHAMBHUGANJ District- Banka

PRINCE KUMAR Son of Sri Bijay Kumar @ Bijay Kumar Singh Resident of
Village- Kaitha, P.S.- Shambhuganj, District- Banka, Pin- 813211

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ajit Anand

For the Opposite Party/s : Mr.Akshay Lal Pandit

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

ORAL ORDER

2 19-07-2022 Learned counsel for the petitioner is directed to remove all
the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner as well as learned
APP for the State.

The petitioner apprehends his/her arrest in connection
with Shambhuganj P.S. Case No. 07 of 2016, registered for the
offences punishable under Sections 406, 409, 420 and 34 of the
Indian Penal Code.

As per allegation made in the FIR, the Chairman of the
PACS, its Manager and the Members of the Executive Body had
withdrawn the money for purchase of paddy and wheat but despite
the withdrawal of the money, the purchased wheat and rice was not
sent to the State Food Corporation rather it was sold out in open
market.



Learned counsel for the petitioner has submitted that he is Manager of the PACS and he is innocent. The Chairman of the PACS was granted regular bail from the court of learned Sessions Judge, Banka, on his assurance that the entire money withdrawn by the PACS would be deposited.

On the other hand, learned Addl. P.P. for the State has submitted that the petitioner being the Manager of the PACS is responsible for entire transaction. He has submitted further that despite the assurance given by co-accused still the amount has not been deposited.

Considering the above-mentioned facts and circumstances and also considering the prima facie complicity of the petitioner, he does not deserve the privilege for anticipatory bail. Accordingly, it is rejected.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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