

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34859 of 2015

Arising Out of PS.Case No. -158 Year- 2015 Thana -LAHERIASARAI District- DARBHANGA

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Ganesh Prasad Rai, S/o Late Ram Prasad Rai, Proprietor M/S Maa Bhawani Rice Mill, R/o Village - Madhopur, P.O. + P.s. - Bahera, District - Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Bihar State Food and Civil Supplies Corporation.

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Krishna Mohan Mishra, Advocate
For the State : Mr. Suresh Pd. Singh (APP)
For the BSFC : Mr. Shailendra Kumar Singh, Advocate

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 20-08-2015 Heard learned counsel for the petitioner and the learned counsel for the State as well as the learned counsel for the BSFC.

The petitioner is apprehending his arrest in connection with Laheriasarai P.S. Case No.158 of 2015 for allegedly having committed the offences under Sections 406, 409 and 420 of the Indian Penal Code.

Learned counsel for the petitioner submits that an allegation has been made against the petitioner for defalcation of an amount of Rs.1,79,03,983.85 being equivalent to 8267.60 quintal of C.M.R. Learned counsel for the petitioner further submits that though there is some misunderstanding between the petitioner and the B.S.F.C., the petitioner had earlier approached this Court and vide order passed therein, the petitioner has

deposited a sum of Rs.6,50,000/-. Learned counsel submits that the petitioner is willing and ready to pay 20% of the alleged amount as stated in the F.I.R. after deducting the said Rs.6,50,000/- already paid by him.

Learned counsel for the BSFC submits that the same is subject to verification.

Considering the offer made by the petitioner and not objected to by the learned counsel for the BSFC, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of three weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga, in connection with Laheriasarai P.S. Case No.158 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

It is made clear that 20% of the amount as stated in the F.I.R., after verification of the amount paid by the petitioner, shall be paid by him within a period of eight months.

(Anjana Mishra, J)

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