

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10473 of 2015

Arising Out of PS.Case No. -6 Year- 2015 Thana -SAHAR District- BHOJPUR

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1. Dhiraj Kumar Son of Anand Kumar Singh resident of village - Harihar
Ganj, P.O. + P.S. Nasriganj, District - Rohtas

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashutosh Ranjan Pandey

For the Opposite Party/s : Mr. Veena Kumari Jaiswal(App)

For the BSFC : Mr. Shailendra Kumar Singh, Advocate

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

2 28-04-2015 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 406 and 420 of the
Indian Penal Code.

It is alleged that the petitioner being miller was supplied
3053.60 quintals of paddy and was supposed to supply
2045.91.200 quintals of rice but the rice was not supplied.

It is submitted by the learned counsel for the petitioner
that though the petitioner was ready to supply the rice but it was
not received by the authorities.

It is submitted by learned counsel for the Bihar State
Food and Civil Supplies Corporation Ltd. (hereinafter referred to

as ('Corporation') that the period stipulated for supply of rice is over and now as per the direction issued by the Corporation vide letter no. 891 dated 20.1.2015 the petitioner has to return the price of paddy for the financial years 2014-15 at the rate of Rs.1580/- with the conditions stipulated therein.

It is further submitted by learned counsel for the petitioner that similar was the condition fixed in the agreement also. The petitioner is ready to deposit 30% of the total consideration amount of paddy supplied within a period of four months.

Considering the aforesaid stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for four months in the event of arrest or surrender before the learned Court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned JM Ist Class, Bhojpur at Ara in connection with Sahar P.S. Case No. 6 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioner will be confirmed by the learned court below on deposit of 30% of the total consideration amount of paddy supplied.

The present order will not, in any way, preclude the Corporation to recover the balance amount from the petitioner.

(Dinesh Kumar Singh, J)

Anil/-

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