

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19736 of 2015

Arising Out of PS.Case No. -53 Year- 2015 Thana -KUDRA District- BHABHUA (KAIMUR)

Vivek Kumar Singh son of Ravindra Singh, resident of village- Kudra,
P.S.,- Kudra, District- Kaimur at Bhabhua

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumeet Kumar Singh

For the Opposite Party/s : Mr. Nand Kumar(App)

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

3 01-07-2015 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Kudra P.S. Case No. 53 of 2015 registered under Sections
409 and 420 of the Indian Penal Code.

The accusation is that petitioner, being the rice
miller, entered into an agreement with the State Food Corporation
and received 1600 quintal Paddy to return 10720 quintals rice but
the petitioner did not return 10182.70 quintal rice and
misappropriated the same worth of Rs. 2,52,38,432.91.

Learned counsel appearing on behalf of the petitioner
submits that in fact, it was the duty of the Bihar State Food
Corporation to collect the prepared rice, but the Corporation did

not collect the rice and due to rainy season, the quality of rice was reduced, as a result of which the Food Corporation refused to take the rice. As per agreement, if any default is committed, the recovery was to be made through certificated proceeding. It is also submitted in similar case Ashok Kumar Singh has already been allowed anticipatory bail by a Bench of this Court vide Cr. Misc. No. 23971 of 2005 on 22.05.2015.

Having considered the facts and circumstances of the case, let the above named petitioner be released on bail, 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 the C.J.M., Kaimur at Bhabhua in connection with Kudra P.S. Case No. 53 of 2015, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Rajendra Kumar Mishra, J.)

Shail/-

U		T	
---	--	---	--