

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20033 of 2015

Arising Out of PS.Case No. -88 Year- 2015 Thana -BUXAR MUFFSIL District- BUXAR

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Sri Sanjeet Prasad @ Sanjit Prasad S/o Bharat Prasad Resident of Village
Pandey Patti, P.S. Buxar (M), District Buxar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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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 Buxar (M) Case No. 88 of 2015 registered under Sections
406/420/120(B) 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 21980 quintal of paddy to return 14726 quintals rice,
but the petitioner returned only 12570 quintals rice and
misappropriated rest rice worth of Rs. 4668641/-.

Learned counsel appearing on behalf of the
petitioner submits that in fact, it is the duty of the Bihar State Food
Corporation to collect the prepared rice, but due to rainy season,
the bags of rice were damaged and also the quality of the rice was
reduced, as a result of which the Food Corporation refused to take

the rice as per agreement. If there is any default committed by the party, recovery was to be made through certificate proceeding. It is also submitted in similar case Ashok Kumar Singh has been allowed anticipatory bail by a Bench of this Court vide Cr. Misc. No. 23971 of 2015 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., Buxar in connection with Buxar (M) Case No. 88 of 2015, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Rajendra Kumar Mishra, J.)

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