

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21622 of 2015

Arising Out of PS.Case No. -69 Year- 2015 Thana -KUDRA District- BHABHUA (KAIMUR)

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Ram Kumar Singh, son of Sri Sheshnath Singh, resident of village-
Dandori, P.S.- Kudra, District- Kaimur at Bhabhua

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Sumeet Kumar Singh

For the Opposite Party/s : Mr. Ajay Kumar 1(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 07-07-2015

Heard both sides.

The petitioner apprehends his arrest in a case under
Sections 409 & 420 of the Indian Penal Code.

The petitioner was given 20,000 quintals of paddy
and the petitioner had to hand over 13,400 quintals of C.M.R.
(rice) to the B.S.F.C. It is alleged that the petitioner gave only 540
quintals of rice to the department and he has to deliver 12860
quintals of C.M.R. (rice) amounting to Rs. 3,18,74,281.60.
Learned counsel for the petitioner submits that the petitioner made
rice of the entire paddy and stocked the same in the godown of his
mill. The petitioner wrote letters after letters to the department for
lifting of rice from his godown but the same was not ever lifted
nor any transportation charge was given. It is submitted that the
C.M.R. (rice) is still lying in the godown of the petitioner. It is
submitted that there is no fault of the petitioner but the case is filed

in violation of the agreement entered into between the petitioner and the B.S.F.C. The petitioner has not violated any term of the agreement. The petitioner has agreed to deposit 20% of the amount after selling the rice within six months.

Considering the facts aforesaid, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to be enlarged 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, Kaimur at Bhabhua in Kudra P.S. Case No. 69/2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and subject to further condition that the petitioner shall deposit 20% of the total price within six months from today. If the petitioner does not deposit the amount within the aforesaid period, his bail bonds shall be cancelled.

It is further made clear that the B.S.F.C. and the petitioner shall resolve the dispute.

(Prabhat Kumar Jha, J)

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