

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22192 of 2015

Arising Out of PS.Case No. -22 Year- 2015 Thana -CHAND District- BHABHUA (KAIMUR)

1. Sunil Kumar Singh Son of Ram Adhar Singh resident of village -
Diwane, P.S. - Chand, District - Kaimur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha

For the Opposite Party/s : Mr. U.L.Verma(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-07-2015

Heard learned counsel for the petitioner and learned A.P.P.

for the State.

The petitioner is apprehending his arrest in Chand P.S. Case
No. 22 of 2015 registered under sections 406/ 409/420/34 of the Indian Penal
Code.

Prosecution case, in short, is that the petitioner entered into
an agreement with State Food Corporation for milling 5900 quintals of paddy
latest by 31.12.2013 but neither the milled rice was given back to the State
Food Corporation nor the paddy or milled rice was found in the godown of the
petitioner, so he misappropriated rice worth Rs.68,09,603. 42/-.

It has been submitted on behalf of the petitioner that as per
the allegation the outstanding dues against the petitioner is of Rs. 68,09,603.
42/- . It is further submitted that petitioner is ready to deposit 20% of the said
amount within a period of six months.

On behalf of the State it has been submitted that the
petitioner is named in the FIR and there is direct allegation against him.

Considering the aforesaid facts and circumstances, the petitioner is directed to deposit 20% of Rs.68,09,603.42/- before the State Food Corporation within a period of six months through bank draft.

In the meantime, the above named petitioner in the event of his arrest/surrender before the 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 provisional anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Kaimur at Bhabua in Chand P.S.Case No. 22 of 2015, subject to the conditions as laid down u/s 438(2) Cr.P.C. The provisional bail granted to the petitioner shall be confirmed by the court below, if the petitioner produces certificate showing that 20% of the outstanding dues has been deposited by him before the State Food Corporation within a period of six months through Bank Draft.

singh/-

(Sudhir Singh, J)

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