

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25722 of 2015

Arising Out of PS.Case No. -21 Year- 2015 Thana -CHAND District- BHABHUA (KAIMUR)

Ashok Kumar Singh S/o Badri Singh, resident of Village-Dulhi, P.S.-
Chand, District-Kaimur (Bhabua).

.... Petitioner

Versus

1. The State of Bihar
2. Sri Pramod Kumar Pathak S/o Late Uday Chandra Pathak, District
Manager, Bihar State Food & Civil Supplies Corporation Ltd., Kaimur
(Bhabua).

.... Opposite Parties

Appearance :

For the Petitioner : Mr. Krishna Pd. Singh, Sr. Advocate.
For the Opposite Parties : Mr. Abhay Kr. Roy(App)
For the B.S.F.C. : Mr. Shailendra Kumar Singh, Advocate.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 17-07-2015 Heard both sides.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 406, 409 and 420 of the
Indian Penal Code.

The petitioner received 2900 quintals of paddy for
milling, the petitioner had to deliver 1943 quintals of rice, but the
petitioner did not deliver any rice and thereby the petitioner
misappropriated a sum of Rs. 42,07,683.08/-.

Submission is that the petitioner is ready to deposit 20
per cent of the aforesaid amount within six months from the date
of receipt of this order.

Learned counsel appearing on behalf of the B.S.F.C. did not raise any objection and submitted that the rest amount shall be recovered in accordance with law for which Certificate Case is also going on.

Considering the facts aforesaid, the petitioner shall deposit 20 per cent of the entire amount within six months from the date of receipt of this order, the petitioner above named, in the event of his arrest or 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 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 (Bhabhua) in Chand P.S. Case No. 21 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. It is further directed that if the petitioner fails to deposit 20 per cent of the total amount within six months from the date of this order, the learned court below shall cancel the bail bonds of the petitioner.

(Prabhat Kumar Jha, J.)

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