

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27040 of 2015

Arising Out of PS.Case No. -128 Year- 2015 Thana -DUMRAUN District- BUXAR

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Rama Pati Rai S/o Sri Ras Bihari Rai R/o Village - Purana Bhojpur, P.O. +
P.S. Dumraon, District - Buxar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The District Manager, Bihar State Food Civil Supplies Corporation Ltd.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shree Kant Pandey, Advocate
For the Opposite Party/s : Mr. G. Begum,
For the B.S.F.C. : Mr. Awadhesh Kumar, Advocate

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 21-09-2015 Heard learned counsel for the petitioner and
learned counsel for the B.S.F.C.

The petitioner apprehends his arrest in connection
with Dumraon P.S. Case No. 128 of 2015 registered for the
offences punishable under Sections 409, 420 of the Indian
Penal Code.

Learned counsel for the petitioner submits that the
allegation as has been made against the petitioner for
defalcation of paddy is to the tune of Rs. 1,10,71,632/- (one
crore, ten lakhs, Seventy One Thousand and Six Hundred and
Thirty Two). It is further submitted that as has been the order
passed in other cases of rice mill owner, the petitioner is willing
and ready to deposit the 20 per cent of the alleged defalcated
amount.

Be that as it may, let the petitioner deposit 20 per

cent of the aforesaid defalcated amount within a period of one year from today.

Considering the bonafide offer made by the petitioner, let the petitioner above named, in the event of his arrest or surrender before the Court below within a period of three weeks from the date of receipt/production of a copy of this order, 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 Chief Judicial Magistrate, Buxar in connection with Dumraon P.S. Case No. 128 of 2015, subject to the conditions as laid down under Section 438 (2) of the Cr. P.C.

However, it is made clear that if petitioner fails to deposit the aforesaid amount as submitted by the petitioner, it will be open for the BSFC to take appropriate legal recourse.

(Anjana Mishra, J)

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