

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28026 of 2015

Arising Out of PS.Case No. -78 Year- 2015 Thana -BUXAR INDUSTRIAL District- BUXAR

1. Jitendra Prasad Gupta S/o Late Kanhaiya Shah R/o Village Dubauli, P.S. Simri, District Buxar, Bihar, Proprietor M/s Manish Mini Rice Mill, Industrial Area, Buxar, District Buxar.

.... .. Petitioner/s

Versus

1. The State of Bihar

.... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudha Chandra

For the BSFC : Mr. Shailendra Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 24-07-2015 Heard learned counsel for petitioner and learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with Buxar Industrial P.S. Case No. 78 of 2015 registered under Sections- 406, 420 and 120(B) of the Indian Penal Code.

Petitioner happens to be rice miller and entered into an agreement with Bihar State Food & Civil Supply Corporation Ltd. Buxar and agreed to supply rice in lieu of paddy but according to prosecution case, he failed to supply 3065.16 quintals of rice causing damage to corporation to the tune of Rs. 58,31,704.00/-

The contention on behalf of the petitioner is that there was dispute between the parties in respect of supply of paddy and moreover, the corporation has already instituted certificate case against the petitioner. It is also pointed out on behalf of petitioner that the corporation lodged several cases against the different persons and several persons have already been granted privilege of anticipatory bail by different benches of this court.

Accordingly, it is ordered that the petitioner named above, in the event of his arrest or surrender within four weeks from the date of receipt/production of copy of order in the court below, shall be released on bail on furnishing bail bond of Rs 10,000/- (ten thousand) with two sureties of the like amount each in connection with Buxar Industrial P.S. Case No. 78 of 2015 to the satisfaction of Chief Judicial Magistrate, Buxar subject to conditions as laid down u/S 438(2) of the Cr. P.C.

(Hemant Kumar Srivastava, J)

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