

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24985 of 2015

Arising Out of PS.Case No. -56 Year- 2015 Thana -KUDRA District- BHABHUA (KAIMUR)

1. Pramod Pandey Son of Late Rameshwar Pandey resident of village -
Lalapur, resident of village - Kudra, P.S. Kudra, District - Kaimur at
Bhabhua

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumeet Kumar Singh

For the Opposite Party/s : Mr. A.Dayal(App)

For the BSFC : Mr. Shailendra kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-06-2015 Heard learned counsels for the petitioner and the
State.

The petitioner being a rice miller is apprehending arrest in a case registered for the offences punishable under Sections 409 and 420 of the Indian Penal Code.

The prosecution case is that State Food Corporation supplied 20000 quintals of paddy for supply of 13400 quintals of processed rice but the petitioner supplied only 6480 quintals of processed rice and failed to supply 6920 quintals of processed rice worth Rs.1,71,51,635.20/-.



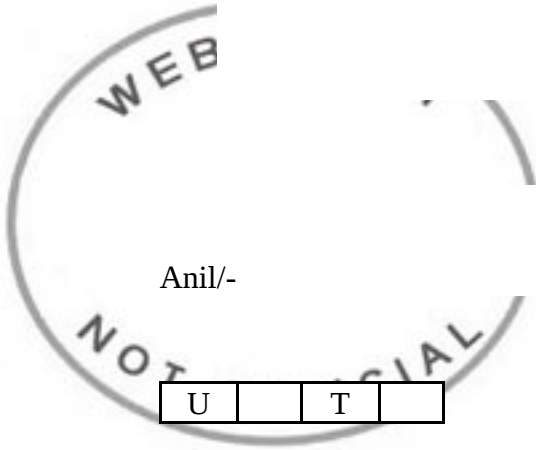
It is submitted by the learned counsel for the petitioner that certificate proceeding has already been initiated. Though the petitioner was ready to supply rest of the processed rice but the same was not accepted by the State Food and Civil Supplies Corporation. However, the petitioner undertakes to deposit 20% of the due amount within a period of four months.

Considering the present stand of the petitioner, on submission of 5% of the due amount through bank draft in favour of State Food and Civil Supplies Corporation, let the above named petitioner be released on provisional anticipatory bail for seven months in the event of arrest or surrender before the learned Court below within a period of six weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Kaimur at Bhabua in connection with Kudra P.S. Case No.56 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The aforesaid deposit will be subject to the certificate proceeding or any legal proceeding.

The provisional bail of the petitioner will be confirmed by the learned court below on submission of 20%

of the due amount through bank draft within six months
before the Bihar State Food Corporation.



Anil/-

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(Dinesh Kumar Singh, J)