

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27305 of 2015

Arising Out of PS.Case No. -50 Year- 2015 Thana -KOCH District- GAYA

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Manju Kumari Wife of Ramanuj Sharma resident of village - Dabur, P.S.
Konch, District - Gaya

.... Petitioner

Versus

1. The State of Bihar
2. District Manager, Bihar State Food Corporation, Gaya

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sumeet Kumar Singh, Adv.
For the Opposite Party no.2 (BSFC) : Awadhesh Kumar, Adv.
For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 21-07-2015 Heard both sides.

The petitioner apprehends her arrest in Konch P.S.

Case No. 50 of 2015, registered for the offences punishable under

Sections 406 and 409 of the Indian Penal Code.

The petitioner lifted 9000 quintals of paddy and he had

to deliver 6030 quintals of rice but the petitioner did not deliver

any amount of rice and thereby misappropriated the same

amounting to Rs. 1,49,45,716.80.

Sri Sumeet Kumar Singh, learned counsel for the

petitioner submits that the petitioner is ready to deposit 20% of the

aforesaid amount within six months. Although the petitioner did

not contravene any provisions of the agreement. The entire rice is

kept in the godown of the petitioner. The BSFC did not provide any transportation for carrying the rice.

Learned counsel for the BSFC also agreed to the aforesaid terms.

Considering the facts aforesaid, 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 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 Chief Judicial Magistrate, Gaya in connection with Konch P.S. Case No. 50 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

If the petitioner fails to deposit 20% of the aforesaid amount i.e. Rs. 1,49,45,716.80 within seven months from the date of receipt of this order, the court below shall cancel the bail bond of the petitioner.

(Prabhat Kumar Jha, J.)

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