

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29505 of 2015

Arising Out of PS.Case No. -61 Year- 2015 Thana -DURGAWATI District- BHABHUA
(KAIMUR)

=====

1. Ajay Kumar Nag son of Kamala Prasad Singh resident of village -
Kabilashpur, P.S.- Durgawati, District- Kaimur at Bhabhua.

.... Petitioner/s

Versus

1. The State of Bihar
2. District Manager Bihar State Food Corporation Kaimur, (Bhabhua).

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Satyendra Prasad Singh

For the Opposite Party/s : Mr. Durgesh Nandan(App)

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-07-2015

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case
instituted under Sections 409 and 420 of the Indian Penal Code.

The prosecution story, in brief, is that the petitioner
being the owner of rice mill has received paddy of 3500.00
quintals from the Bihar State Food and Civil Supplies Corporation
Limited under an agreement to deposit 2345.00 quintals of
C.M.R. but the petitioner has not deposited the required C.M.R.
and Rs. 31,98,999/- has been embezzled for personal benefit.

It has been submitted on behalf of the petitioner
that as per allegation the outstanding dues against the petitioner is
of Rs. 31,98,999/-. It is further submitted that the petitioner is
ready to deposit 20% of the said amount within a period of ten
months.

On behalf of the State, it has been submitted that
the petitioner is named in the FIR and there is direct allegation
against him.

Considering the aforesaid facts, the above named petitioner is directed to deposit 20% of Rs. 31,98,999/- before the State Food Corporation within a period of ten months through bank draft.

In the meanwhile, in the event of his arrest or surrender in the court below within a period of four weeks, the petitioner shall be released on provisional 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 C.J.M., Kaimur at Bhabhua, in Durgawati P.S.Case No. 61/2015, subject to the conditions as laid down u/s 438(2) Cr.P.C. The provisional anticipatory bail granted to the petitioner shall be confirmed by the court below, if the petitioner produces certificate showing that 20% of the outstanding dues has been deposited by him before the State Food Corporation within a period of ten months through bank draft.

(Sudhir Singh, J)

singh/-

U		T	
---	--	---	--