

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31339 of 2015

Arising Out of PS.Case No. -65 Year- 2015 Thana -BHORE District- GOPALGANJ

=====

Shankar Lal Gupta, son of Late Rameshwar Prasad, Resident of Municipal Chowk, Police Station - Chapra, District - Chapra

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bihar State Food and Civil Supplies Corporation Ltd., Sone Bhawan, Birchand Patel Path, Patna-1 through its Managing Director.

.... Opposite Party/s

=====

Appearance :

For the Petitioner : Mr. Rakesh Kumar Tiwary, Advocate
For the S t a t e : Mr. Shyam Kumar Singh(APP)
For the BSFC : Mr. Shailendra Kumar Singh, Advocate

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 14-12-2015 Heard learned counsel for the petitioner and the learned counsel appearing on behalf of the Bihar State Food Corporation as well as the learned counsel for the State.

The petitioner, being the Senior Audit Officer, is apprehending his arrest in connection with Bhore P.S. Case No.65 of 2015 for allegedly having committed the offence under Section 409/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that though the petitioner is not at all involved in any defalcation, yet pending adjudication of the matter, he is willing to deposit 30% of the defalcated amount as stated in the F.I.R. He further submits that the said deposit shall be subject to the present

case.

Considering the 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 four weeks from the date of receipt/production of a copy of this order, be released 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 learned Chief Judicial Magistrate, Gopalganj, in connection with Bhore P.S. Case No.65 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

It is made clear that the aforementioned 30% of the alleged defalcated amount shall be paid by the petitioner within a period of six months from today. In case the same is not done, it shall be open to the Bihar State Food Corporation to take appropriate steps in accordance with law.

(Anjana Mishra, J)

PNM

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