

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28091 of 2015

Arising Out of PS.Case No. -31 Year- 2015 Thana -SIKRAUL District- BUXAR

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Digambar Nath Singh S/o Shyam Bahadur Singh R/o Village Bhadar, P.S. Sikraul, District Buxar, Proprietor M/s Bhagwan Vishnu Rice Mill, Bhadar, Buxar, District Buxar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Surendra Kumar Singh, Advocate.

For the Opposite Party : Mr. Shyam Kr.Singh(App)

For the B.S.F.C. : Mr. Shailendra Kumar Singh, Advocate.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 24-07-2015 Heard both sides.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 406, 409 and 420 of the Indian Penal Code.

The petitioner lifted 4550 quintals of paddy for milling and he had to deliver 3048.50 quintals of rice, but the petitioner has not deposited only 1078.077 quintals of rice thereby the petitioner misappropriated Rs. 42,67,069/-.

Mr. Surendra Kumar Singh, the learned counsel appearing on behalf of the petitioner submits that the petitioner is ready to pay 20 per cent of the amount within six months.

Mr. Shailendra Kumar Singh, the learned counsel

appearing for the B.S.F.C. did not raise objection and submits that the rest amount shall be realized in a proceedings initiated under the P.D.R. Act.

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 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, Buxar in Sikraul P.S. Case No. 31 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 per cent of the Rs. 42,67,069/- within six months, the learned court below shall cancel the bail bond of the petitioner.

(Prabhat Kumar Jha, J.)

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