

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28190 of 2015

Arising Out of PS.Case No. -231 Year- 2015 Thana -SUPAUL District- SUPAUL

=====

1. Smt. Meena Devi W/o Maheshwari Prasad Yadav Resident of Village Sihe, P.S. & District Supaul, Proprietor of Bakaur PACS Rice Mill.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Bihar State Food & Civil Supplies Corporation, Supaul.

.... Opposite Party/s

=====

Appearance :

For the Petitioner	:	Mr. Prashant Sinha
For the State	:	Mr. T.N.Thakur, A.P.P.
For BSFC	:	Mr. Awadhesh Kumar

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 01-10-2015 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending her arrest in a case instituted under Sections 406, 409, 420 and 120B of the Indian Penal Code.

It is alleged that on 10.02.2014, an agreement was executed between the petitioner- Proprietor of Bakaur PACS Rice Mill and the Bihar State Food and Civil Supplies Corporation. As per agreement the proprietor had received 3671.520 M.T. Paddy from S.F.C. and the mill had to provide 67% of paddy i.e. 2459.918 M.T.C.M.(rice) to the State Food Corporation. The said rice mill supplied only 1674.00 M.T.C.M. rice and misappropriated 785.918 M.T.rice worth Rs. 1,94,79,449.18. Out

of the said amount, the rice mill deposited Rs. 10 lacs and misappropriated Rs. 1,84,79,449.18 p.

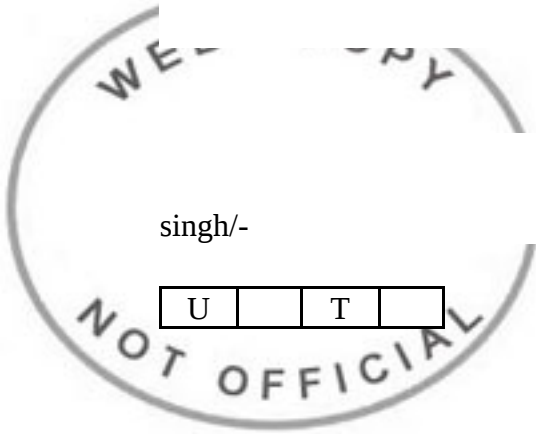
It has been submitted on behalf of the petitioner that as per the allegation the outstanding dues against the petitioner is of Rs. 1,84,79,449.18 p. It is further submitted that the petitioner is ready to deposit 20% of the said amount within a period of sixteen months.

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 petitioner is directed to deposit 20% of Rs. 1,84,79,449.18 p before the State Food Corporation within a period of sixteen months through bank draft.

In the meantime, the above named petitioner, in the event of his arrest or surrender in the court below within a period of six weeks, 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., Supaul in connection with Supaul P.S. Case No.231/2015, subject to the conditions as laid down u/s 438(2) Cr.P.C. The provisional 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 sixteen(16) months.



(Sudhir Singh, J)