

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29493 of 2015

Arising Out of PS.Case No. -42 Year- 2015 Thana -PALANWA District- EAST CHAMPARAN
(MOTIHARI)

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Jitendra Kumar Rai Son of Late Rajdeo Rai, resdient of Village-
Laxumanwa, Police Station- Palanwa, District- East Champaran at
Motihari.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Bihar State Food & Civil Supplies Corporation through District
Manager- East Champaran at Motihari.

.... Opposite Party/s

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Appearance:

For the Petitioner/s: Mr. Amrendra Kumar and
Mr. Ravi Shanker Pankaj, Advocates.

For the State: Smt. Anita Kumari, A.P.P.

For the BSFC: Mr. Shailendra Kumar Singh, Advocate.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 27-07-2015 Heard both sides.

The petitioner apprehends his arrest in a case under
Sections 409, 420, 120B of the Indian Penal Code.

The petitioner lifted 11400 quintals of paddy from
the Bihar State Food & Civil Supplies Corporation Limited for
milling. The petitioner had to deliver 7638 quintals of rice but the
petitioner delivered only 3510 quintals of rice. It is alleged that
the petitioner did not deliver 4128 quintals of rice worth Rs.
89,39,431.68. It is submitted that the petitioner has already
deposited rupees 12 lakhs and odd in pursuance of the order

passed in the certificate case. The petitioner is ready to deposit 20% of the aforesaid amount of Rs. 89,39,431.68. Sri Shailendra Kumar Singh, learned advocate for the BSFC, did not object to the proposal made by the petitioner.

Considering the facts aforesaid, the above named petitioner, in the event of his arrest or surrender before the learned 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 Sri N.K. Priyadarshi, Judicial Magistrate, 1st Class, Raxaul at Motihari, East Champaran in Palanwa P.S. Case No. 42/2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with a further condition that the petitioner shall deposit 20% of the aforesaid amount of Rs. 89,39,431.68 due against him within six months from the date of his release. In the event, the petitioner fails to deposit 20% of the aforesaid amount due against him, his bail bonds shall be cancelled.

Dilip/-

(Prabhat Kumar Jha, J)

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