

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28641 of 2015

Arising Out of PS.Case No. -102 Year- 2015 Thana -RAXAUL District-
EASTCHAMPARAN(MOTIHARI)

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1. Brajdeo Ray Son of Late Basudeo Ray resident of Village - Siswa, Police
Station - Raxaul, 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. Ravi Shanker Pankaj
For the Opposite Party/s : Smt. Anita Kumari(App)
For the B.S.F.C. : Mr. Shailendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 23-07-2015 Heard both sides.

The petitioner apprehends arrest in a case under
sections 409 and 420 and 120-B/34 of the Indian Penal Code.

It is alleged that the petitioner lifted 8200
quintals of paddy and he had to deliver 5494 quintals of rice after
milling but the petitioner did not deliver 1714.49 quintal of rice,
the price of which comes to Rs. 37,12,830.96 P.

It is submitted that the petitioner has already
deposited Rs.7,50,565/- but the learned counsel for the B.S.F.C.
submitted that according to record only Rs.1,22,000/- is deposited
and the remaining amount of Rs.35,90,830.96 is still lying due

against the petitioner.

The petitioner is ready to deposit 20 % of the aforesaid amount, if Rs.7,50,000/- is not deposited by the petitioner during the course of certificate proceeding, within six months from the date of receipt/production of a copy of this order.

Considering the facts aforesaid, let the petitioner, above named, in the event of arrest or surrender in the court below within four weeks from the date of receipt/production of a copy of this order, 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 Sub-divisional Judicial Magistrate, Raxaul at Motihari (East Champaran) in connection with Raxaul P.S. Case No. 102 of 2015, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure, 1973, and that if the petitioner fails to deposit 20 per cent of the aforesaid amount, if not deposited earlier, within a period of six months, then the court below shall cancel the bail bonds of the petitioner.

(Prabhat Kumar Jha, J)

Amin/-

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