

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31705 of 2015

Arising Out of PS.Case No. -40 Year- 2015 Thana -OBRA District- AURANGABAD

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Abhay Kumar, son of Baidnath Singh, resident of Village Devkali, P.O.
Obra, P.S. Obra, Distt. Aurangabad

.... Petitioner/s

Versus

1. The State of Bihar
2. The District Manager, BSFC.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari
For the Opposite Party/s : Mr. A.M.P.Mehta(App)
For the BSFC: Mr. Shailendra Kumar Singh.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 31-07-2015 Heard both sides.

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

The petitioner lifted paddy from the Bihar State Food
& Civil Supplies Corporation Limited for milling. It is alleged that
the petitioner did not deliver 2197.04 quintals of rice worth Rs.
47,57,822/-. The petitioner is ready to deposit 20% of the
aforesaid amount of Rs. 47,57,822/-. Sri Shailendra Kumar Singh,
learned advocate for the BSFC, did not raise any objection and
submitted that the remaining amount shall be realised from the
petitioner in accordance with law in a proceeding filed under
Bihar & Orissa Public Demands Recovery Act, 1914.

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 the learned S.D.J.M., Aurangabad in Obra P.S. Case No. 40/2015, 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. 47,57,822/- due against him within six months from the date of his release. In the event, the petitioner fails to deposit the aforesaid amount, his bail bonds shall be cancelled.

(Prabhat Kumar Jha, J)

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