

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30053 of 2015

Arising Out of PS.Case No. -118 Year- 2015 Thana -KISHANGANJ District- KISANGANJ

Ashok Biswas S/o Late Purn Chandra Biswas, Resident of Village & P.O. -
Surjapur, P.S. - Chakuliya, District - Uttar Dinajpur (WB).

.... Petitioner

Versus

1. The State of Bihar
2. Bihar State Food & Civil Supply Corporation through its Managing
Director, Bihar, Patna.

.... Opposite Parties

Appearance :

For the Petitioner : Mr. Satish Kumar Sinha, Advocate.
For the Opposite Parties : Mr. Amitesh Kumar (App)
For the B.S.F.C. : Mr. Shailendra Kumar Singh, Advocate.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 16-07-2015 Heard both sides.

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

The petitioner lifted 19186.56 quintals of paddy, after milling the petitioner had to deliver 12855.00 quintal of CMR rice by the end of 31.12.2013, on request the petitioner delivered only 6486.16 quintals of the CMR rice, but even after request the petitioner did not deliver 6386.84 of CMR rice the price of which comes to Rs. 1,38,31,085/-. The petitioner also deposited Rs. 16 lakhs although it is submitted that the petitioner deposited Rs. 17 lakhs. Still the petitioner has to deposit rice of Rs. 1,22,31,085/-.

Learned counsel for the petitioner submits that the petitioner

is ready to deposit 20 per cent of the aforesaid amount within six months from the date of receipt of this order accordingly, the counsel appearing on behalf of B.S.F.C. did not object and submits that Certificate Case is also going on.

Considering the facts aforesaid, the petitioner shall deposit 20 per cent of the entire amount within six months from the date of receipt of this order and for the rest amount the petitioner and the authority of the B.S.F.C. shall resolve the disputes through proper means within six months thereafter, but 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, Kishanganj in Kishanganj P.S. Case No. 118 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 total amount within six months from the date of this order, the learned court below shall cancel the bail bonds of the petitioner.

(Prabhat Kumar Jha, J.)

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