

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.30962 of 2015

Arising out of PS.Case No. -16 Year- 2015 Thana -DUMRA District- SITAMARHI

=====

Kumari Munni Rai, Wife of Aasheswar Rai, resident of village -
Baburwan, P.S. Baburwan, Distt. – Sitamarhi.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Anujit Sinha, Advocate.

For the Opposite Party : Mr. C.Jawahar(App)

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 31-07-2015 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner is apprehending her arrest in
Dumra P.S. Case No. 16 of 2015 registered under sections 406,
409 and 420 of the Indian Penal Code.

Prosecution case, in short, is that the petitioner
being owner for rice mill has received paddy of 6340.00
quintals under an agreement to deposit 4247.80 quintals of
C.M. R. but the petitioner has deposited only 540.00 quintals of
C.M.R and rest has not deposited and Rs. 91,90,004.77 has
been embezzled for personal benefit.

It has been submitted on behalf of the petitioner
that as per the allegation the outstanding dues against the
petitioner is of Rs. 91,90,004.77. It is further submitted that
petitioner is ready to deposit 20% of the said amount within a
period of one year.

On behalf of the State it has been submitted that the petitioner is named in the first information report and there is direct allegation against him.

Considering the aforesaid facts and circumstances, petitioner is directed to deposit 20% of Rs. 91,90,004.77 before the State Food Corporation within a period of one year through bank draft.

In the meantime, the above named petitioner in the event of her arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order is directed to be enlarged on provisional anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in Dumra P.S. Case No. 16 of 2015, subject to the conditions laid down under section 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 the 20% of the outstanding dues has been deposited by him before the State Food Corporation within a period of one year through bank draft.

U.K./-

U		T	
---	--	---	--

(Sudhir Singh, J)