

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20761 of 2014

Arising Out of PS.Case No. -46 Year- 2014 Thana -BASANTPUR District- SIWAN

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1. Srikant Singh son of Late Kishore Singh resident of village - Gopalpur,
P.S.- Basantpur, District- Siwan, Chairman Proprietor Gopalpur PAX Rice
Mill, P.S.- Basantpur, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Bhushan Verma

For the Informant (BSFC) : Mr. Shailendra Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

13 29-01-2015

Heard the parties.

In this application for anticipatory bail the petitioner apprehends his arrest for the offence punishable under sections 420 and 409 of the I.P.C.

The petitioner being owner of Gopalpur PAX Rice Mill received 19598-17 quintals of paddy and he was to deliver 13130-77 quintals rice to the F.C.I. Siwan but he delivered only 11854-29 quintals rice. Thus, there remains dues of 1279-48 quintals of rice valued at Rs. 24,29,310=90 paisa. The petitioner had deposited again the amount of Rs. 9,50,000/- through Bank draft and the remaining dues of Rs. 14,79,310=90 paisa remained due against him which has not been deposited.

Submission is that against the petitioner Certificate case has been lodged and in that certificate case the petitioner is depositing the amount regularly and now the dues is only Rs. 91,791=69 paise and on this ground the petitioner deserves sympathetic consideration, to which the learned counsel for the State Food Corporation seriously opposes by submitting that still there is dues of Rs. 14,79310=90 paise and it is only oral submission of the petitioner.

Be that as it may, considering that the Certificate case is going on against the petitioner and the petitioner is not disputing regarding deposit of the amount and as such in case of his arrest or surrender within two months from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of. C.J.M. Siwan in Basantpur P.S. Case No. 46 of 2014, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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