

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32326 of 2015

Arising Out of PS.Case No. -61 Year- 2015 Thana -AADAPUR District-
EASTCHAMPARAN(MOTIHARI)

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Birendra Prasad S/o Sharda Prasad Resident of Village Gamhariya, P.S. Darpa, District East Champaran, Proprietor of M/s Maa Durga Rice Mill, Gamhariya Kala, Darpa, District East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The District Manager, B.S.F.C., Motihari.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate
Mr. Dhananjaya Nath Tiwari
For the Corporation : Mr. A.N. Rai
For the Opposite Party/s : Mr. Nand Kishore Prasad (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 13-08-2015 Heard learned counsel for the petitioner and learned counsel
for the Bihar State Food and Civil Supplies Corporation.

The petitioner being the proprietor of M/s Maa Durga Rice Mill apprehends his arrest in connection with a case registered for the offences punishable under Sections 420, 409 of the Indian Penal Code.

Learned counsel for the petitioner submits that allegation against the petitioner is that he after accepting paddy from the State Food Corporation, did not return the proportionate value of rice and as a consequence thereof, has defalcated an amount of Rs. 70,68,798.43/-. He, however, submits that the petitioner is ready and willing to deposit 20% of the aforementioned amount

within a period of six months and the petitioner may be extended the similar privilege of anticipatory bail as has been done in several other cases by various Benches of this Court.

In view of the aforementioned submissions, let the petitioner, in the event of his arrest / surrender within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the each amount to the satisfaction of the learned Judicial Magistrate 1st Class, Raxaul at Motihari in connection with Aadapur P.S. Case No.61/2015 subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J)

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