

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31863 of 2015

Arising Out of PS.Case No. -86 Year- 2015 Thana -SHEOHAR District- SHEOHAR

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Raju Kumar Singh S/o Sri Shiv Prasad Singh Resident of village - Mahdeo
Maudah, P.S. Sitamarhi, District - Sitamarhi, Proprietor of M/s R.K. & Sons
Rice Mill, Mahadeo, Sitamarhi

.... Petitioner/s

Versus

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

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari, Advocate.
For the Opposite Party/s : Mr. Madhuranand Jha, A.P.P.
For the BSFC: Mr. Shailendra Kumar Singh, Advocate.

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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 406, 409, 420/34 of the Indian Penal Code.

The petitioner lifted 101137.80 quintals of paddy
from the Bihar State Food & Civil Supplies Corporation Limited
for milling. The petitioner had to deliver 67762.30 quintals of rice
but the petitioner delivered only 26460 quintals of rice. It is
alleged that the petitioner did not deliver 41302.30 quintals of rice
worth Rs. 8,94,42,608.78. Although the petitioner has disputed the
quantity of the lifted paddy, he is ready to deposit 20% of the
aforesaid amount of Rs. 8,94,42,608.78 within one year. 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 Chief Judicial Magistrate, Sheohar in Sheohar P.S. Case No. 86/2015, 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. 8,94,42,608.78 due against him within one year from the date of his release. In the event, the petitioner fails to deposit the aforesaid amount, his bail bonds shall be cancelled.

Dilip/-

(Prabhat Kumar Jha, J)

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