

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34823 of 2015

Arising Out of PS.Case No. -159 Year- 2015 Thana -LAHERIASARAI District- DARBHANGA

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Shailesh Kumar, S/o Anil Kumar @ Anil Kumar Sinha, Partner M/s Satyam Rice Mill, Village Khaira, P.O. Khaira Kujji, P.S. Pator, District Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Bihar State Food and Civil Supplies Corporation.

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Krishna Mohan Mishra, Advocate
For the State : Mr. Suresh Pd.Singh(APP)
For the BSFC : Mr. Shailendra Kumar Singh, Advocate

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 20-08-2015 Heard learned counsel for the petitioner and the learned counsel for the State as well as the learned counsel for the BSFC.

The petitioner is apprehending his arrest in connection with Laheriasarai P.S. Case No.159 of 2015 for allegedly having committed the offences under Sections 406, 409 and 420 of the Indian Penal Code.

Learned counsel for the petitioner submits that an allegation has been made against the petitioner that he has misappropriated rice to the tune of Rs.7,80,60,165.57. It is further submitted that the petitioner is participating in a proceeding under the PDR Act and also co-operating in the arbitration proceedings between the parties. Learned counsel further submits that the petitioner has already deposited

Rs.20,00,000/- in pursuance of an order passed by this Court in the case of same rice mill. If the petitioner has so deposited a sum of Rs.20,00,000/-, then in the event of the petitioner's depositing 20% of the alleged amount as stated in the F.I.R., the required amount to be deposited shall include said Rs.20,00,000/- already paid by the petitioner.

Learned counsel for the BSFC submits that the amount shall be subject to verification by the authorities concerned.

Be that as it may, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of three weeks from the date of receipt/production of a copy of this order, 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 the learned Chief Judicial Magistrate, Laherisarai, Darbhanga, in connection with Laheriasarai P.S. Case No.159 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

It is made clear that the aforesaid amount required to be deposited by the petitioner shall be so deposited within a period of fifteen months.

(Anjana Mishra, J)

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