

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34639 of 2015

Arising Out of PS.Case No. -69 Year- 2015 Thana -AADAPUR
District- EAST CHAMPARAN(MOTIHARI)

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Gena Lal Prasad @ Gera Lal Pd., S/o Late Bihari Raut, Resident of Village
- Gamahariya Kala, P.S. - Aadapur, District - East Champaran, Proprietor of
M/s Amit Traders, Gamahariya Kala, Aadapur, 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 : Mr. Dhananjaya Nath Tiwari, Advocate
For the S t a t e : Mr. R.S.Choudhary(APP)
For the BSFC : Mr. Shailendra Kumar Singh, Advocate

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 13-08-2015 Heard learned counsel for the petitioner and the

learned counsel for the Bihar State Food Corporation as well as

the learned counsel for the State.

The petitioner is apprehending his arrest in connection
with Aadapur P.S. Case No.69 of 2015 for allegedly having
committed the offences under Sections 409 and 420 of the
Indian Penal Code.

Learned counsel for the petitioner submits that
defalcation of Rs.10,23,979.10 has been alleged as against the
petitioner, but in the F.I.R. itself it has been stated that out of the
said amount, the petitioner has already deposited Rs.2,50,000/-,

which is more than 20% of the amount, as alleged. This fact finds place in the F.I.R. itself.

Considering the aforementioned submissions and the fact that the petitioner has already deposited more than 20% of the amount, 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 Sri N.K. Priyadarshi, learned Judicial Magistrate,1st Class, Raxaul at Motihari, in connection with Aadapur P.S. Case No.69 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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