

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32328 of 2015

Arising Out of PS.Case No. -135 Year- 2015 Thana -KUDRA District- BHABHUA (KAIMUR)

1. Sunil Kumar Singh S/o Surya Nath Singh Proprietor Jai Maa Parvati Rice Mill, Derwan, Resident of Village Derwan, P.S. Kudra, District Kaimur (Bhabhua).

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bihar State Food and Civil Supply Corporation Ltd., Patna.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogendra Kumar Singh
For Corporation : Mr. Shailendra Kumar
For the State : Mr. Pranav Kumar

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 as well as learned counsel for the State.

The petitioner apprehends his arrest in connection with a case registered for the offences punishable under Sections 409, 420 of the Indian Penal Code.

Learned counsel for the petitioner submits that a First Information Report has been lodged against the petitioner alleging defalcation of Rs. 1,69,70,800.18. He further submits that an amount of Rs. 24,80,000.00 has been deposited and after adjustment of the security money of Rs. 50,000.00, the remaining amount due is Rs. 1,44,40,800.18. He further submits that recently also the petitioner has deposited Rs. 4,98,500.00 and after deducting all such amounts, the petitioner would not pay any further amount at the present point of time

as he is suffering from severe life disease and he is being treated at Mumbai.

Learned counsel for the petitioner has also brought on record a Certificate Case No. 20y of 2012-13 which is pending against him before the Certificate Officer as the same has been filed by the Bihar State Food and Civil Supplies Corporation at Kaimur. He further submits that whatever be the decision of the Certificate Officer, he is willing to abide by the same and make payment thereof at the relevant point of time.

Considering the aforementioned submissions and also the fact that the petitioner has paid various amounts during the past period after filing of the First Information Report, let the petitioner Sunil Kumar Singh, in the event of his arrest / surrender within a period of three 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 Chief Judicial Magistrate, Kaimur at Bhabhua in connection with Kudra P.S. Case No. 135/2015 subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J)

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