

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35903 of 2015

Arising Out of PS.Case No. -115 Year- 2015 Thana -KISHANGANJ District- KISANGANJ

1. Tarun Agrawal, Son of Suresh Kumar Agrawal, Resident of Mohalla-
Laxmi Narayan M.R. Road, Khalpara, Siliguri, District- Darjeeling, West
Bengal.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bihar State Food and Civil Supplies Corporation Ltd. through its District
Manager.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Lal, Adv.

For the Opposite Party/s : Mr. Surendra Pd.Singh(App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 03-11-2015 Heard both sides.

The petitioner apprehends his arrest in Kishanganj P.S.
Case No. 115/2015, registered for the offences punishable under
Section 406 and 420 of the Indian Penal Code.

The petitioner lifted 48,223 quintals of paddy from the
B.S.F.C. in the year 2012-2013. He had to deliver 32309.41 quintals
of rice to the godown of Food Corporation of India, but in spite of
several notices the petitioner delivered only 11584.955 quintals of
rice. 20784.455 quintals of rice is lying against the petitioner the
price of which comes to Rs. 4,48,80,051.00.

Learned counsel for the petitioner submitted that the
petitioner is ready to deliver the entire amount. The petitioner has

already mortgaged the property of worth Rs. 9 crore. The certificate case for realization of aforesaid amount is also pending. The petitioner is ready to deposit 20% of the aforesaid amount within six months from the date of receipt of this order.

Learned counsel for the BSFC has submitted that evaluation of the mortgaged property is yet to be done.

Considering the facts aforesaid and the fact that the petitioner is ready to deposit 20% of the aforesaid amount i.e., 4,48,80,051.00 within six months from the date of receipt of this order, the petitioner, in the event of his arrest or surrender before the 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, Kishanganj in connection with Kishanganj P.S. Case No. 115/2015, subject to the conditions as laid down under Section 438(2) of the Cr. P.C. If the petitioner fails to deposit the 20% of the aforesaid amount within six months, the learned court below shall cancel the bail bond of the petitioner.

(Prabhat Kumar Jha, J.)

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