

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36262 of 2015

Arising Out of PS.Case No. -114 Year- 2015 Thana -MANIGACHI District- DARBHANGA

1. Devendra Lal Das @ Devendra Kumar Lal Das Son of Late Mahendra Narayan Lal Das resident of village - Bahera, P.S. Bahera, District - Darbhanga and Presently Posted as Block Agriculture, Taradih

.... Petitioner/s

Versus

1. The State of Bihar
2. The District Manager, Bihar State Food Civil Supply, Laheriasarai, Darbhanga

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Chandra
For the Opposite Party/s : Mr. M.Dayal (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-09-2015 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 409 and 420/34 of the Indian Penal Code.

The prosecution case is that the petitioner being one of the Paddy Purchase Incharge of Manigachhi and Tardih Centres misappropriated 313.80 quintals of paddy worth Rs.4,34,613/-. It is alleged that 29873.80 quintals of paddy were purchased but only 29560 quintals of paddy were supplied to the rice miller and rest 313.80 quintals of paddy were misappropriated.

It is submitted by the learned counsel for the petitioner

that petitioner was not the sole incharge of the procurement centre but the petitioner is ready to deposit 50% of the alleged amount of Rs. 4,34,613/- within five months through bank draft in favour of Bihar State Food and Civil Supplies Corporation Ltd., Patna.

Considering the aforesaid facts, let the above named petitioner be released on provisional anticipatory bail for six months in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned JM Ist Class, Darbhanga in connection with Manigachhi P.S. Case No.114 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioner will be confirmed by the learned court below on submission of proof of deposit of 50% of the alleged amount of Rs.4,34,613/- through bank draft within five months in favour of Bihar State Food and Civil Supplies Corporation Ltd., Patna.

(Dinesh Kumar Singh, J)

Anil/-

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