

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39418 of 2015

Arising Out of PS.Case No. -119 Year- 2015 Thana -KARAHGAR District- SASARAM (ROHTAS)

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Santosh Kumar Singh S/o Baijnath Singh, Resident of Village- Siri, P.S.-
Kargahar, District- Rohtas.

.... Petitioner

Versus

1. The State of Bihar.
2. The District Manager, State Food Corporation, Rohtas, Sasaram.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Jai Prakash Singh
For the Opposite Parties : Mr. Sanjay Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-09-2015 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner is apprehending his arrest in
Kargahar P.S. Case No. 119 of 2015 registered under sections
406, 409 and 420 of the Indian Penal Code.

Prosecution case, in short, is that the petitioner
being owner for rice mill has received paddy of 7664.23
quintals under an agreement to deposit 537.56 quintals of C.M.
R. but the petitioner has deposited only 4597.47 quintals of
C.M.R and rest has not deposited and Rs. 8749583.08 has
been embezzled for personal benefit.

It has been submitted on behalf of the petitioner
that as per the allegation the outstanding dues against the
petitioner is of Rs. 8749583.08/-. It is further submitted that
petitioner is ready to deposit 20% of the said amount within a

period of one year.

On behalf of the State it has been submitted that the petitioner is named in the first information report and there is direct allegation against him.

Considering the aforesaid facts and circumstances, petitioner is directed to deposit 20% of Rs. 8749583.08 before the State Food Corporation within a period of one year through bank draft.

In the meantime, the above named petitioner in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order is directed to be enlarged on provisional anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Rohtas at Sasaram in Kargahar P.S. Case No. 119 of 2015, subject to the conditions laid down under section 438(2) Cr.P.C. The provisional bail granted to the petitioner shall be confirmed by the court below, if the petitioner produces certificate showing that the 20% of the outstanding dues has been deposited by him before the State Food Corporation within a period of one year through bank draft.

B.Kr./-

(Sudhir Singh, J)

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