

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36661 of 2015

Arising Out of PS.Case No. -65 Year- 2015 Thana -BHAGWANPUR District-
VAISHALI(HAJIPUR)

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1. Awadhesh Kumar Son of Late Mohit Lal Sah resident of village -
Dumma, P.S. Berauta Dumma, District - Sheohar at Present Posted as
Block Agriculture officer at Jhanjharpur, District - Madhubani
..... Petitioner/s

Versus

1. The State of Bihar
2. The Bihar State Food and Civil Supplies Corporation Ltd., Patna
..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sameer Ranjan
For the Opposite Party/s : Mr. Chandra Bhushan Prasad(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-09-2015 Heard learned counsels for the petitioner
and the State.

Petitioner is apprehending his arrest in a
case registered for the offences punishable under Sections 409,
420, 120B of the Indian Penal Code and Section 7 of the
Essential Commodities Act.

The prosecution case is that the petitioner
was In-charge of paddy purchase centre of Bhagwanpur in the
District of Vaishali when there was discrepancy between the
purchased quantity of paddy and the paddy supplied to the rice
miller. The total misappropriated amount alleged to be Rs.
3,40,578.84/-.

It is submitted by learned counsel for the
petitioner that unreasonable amount has been alleged to be
misappropriated as the calculated paddy got rotten due to the

latches on the part of the higher authorities of the Bihar State Food & Civil Supplies Corporation. However the petitioner is ready to deposit the alleged amount of Rs. 3,40,578.84/- within a period of nine months through bank draft in nine equal monthly installments in favour of The Bihar State Food & Civil Supplies Corporation, Patna.

Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on provisional anticipatory bail for ten months on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Bhagwanpur P.S. Case No. 65 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The provisional bail of the petitioner will be confirmed by learned Court below on submission of draft of Rs. 3,40,578.84/- in favour of The Bihar State Food & Civil Supplies Corporation, Patna within a period of nine months in nine monthly equal installments.

The above payment will not be treated as admission of the petitioner against the claim of the informant and the said payment will be subject to the result of the case.

(Dinesh Kumar Singh, J)

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