

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40466 of 2015

Arising out of PS.Case No. -61 Year- 2015 Thana -CHENARI District- SASARAM (ROHTAS)

Jay Prakash Shukla, Proprietor of M/s Shakti Mini Rice Mill Chenari, Rohtas at Sasaram, Son of Sri Niwash Shukla, R/o Village - Chainpura, P.O. + P.S - Chenari, District - Rohtas at Sasaram.

.... Petitioner

Versus

1. The State of Bihar.
2. The Managing Director, Bihar State Food Corporation, Sone Bhawan, Patna.

.... Opposite Parties

Appearance :

For the Petitioner	:	Mr. Dinu Kumar, Advocate. Mr. Rajesh Kumar Singh, Advocate. Mr. Arvind Kumar Sharma, Advocate. Mr. Santosh Kumar, Advocate.
For the State	:	Mr. Mukesh Kumar Singh, A.P.P.
For the B.S.F.C.	:	Mr. Shailendra Kumar Singh, Advocate.

CORAM: HONOURABLE MR. JUSTICE V.N. SINHA
ORAL ORDER

2 13-10-2015 Heard learned counsel for the

petitioner, State and the counsel for the B.S.F.C.

Petitioner is a miller. He is being prosecuted for the offence under Sections 406, 420 of the Penal Code as after milling the paddy entrusted to him he has not returned the rice worth Rs. 82,63,771.8/-.

It is submitted on behalf of the petitioner that another Bench of this Court has allowed co-accused the privilege of bail in the event of arrest under order dated 05.10.2015

passed in Cr. Misc. No. 39647 of 2015 on deposit of 20% of the due amount within five months from the date of the order.

Let petitioner, named above, deposit 20% of the due amount in the court below within four months from today, which The Bihar State Food Corporation shall be at liberty to withdraw, thereafter petitioner be released on bail on furnishing bond of Rs. 5,000/- (five thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Rohtas at Sasaram in connection with Chenari P.S. Case No. 61/2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C., failing which he should be taken in custody. Until then no coercive steps be taken against the petitioner.

(V.N. Sinha, J)

P.K.P.

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