

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40894 of 2015

Arising Out of PS.Case No. -70 Year- 2015 Thana -CHENARI District- SASARAM (ROHTAS)

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Deepak Kumar Gupta S/o Rajaram Sah resident of Village - Telari, P.S. -
Chenari, District - Rohtas.

.... Petitioner

Versus

1. The State of Bihar.
2. Dinesh Prasad Singh, District Manager, State Food Corporation, Rohtas.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Singh, Adv.
For the BSFC : Mr. Awadhesh Kumar
For the Opposite Party/s : Mr. Nand Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 06-10-2015 Heard both sides.

The petitioner apprehends his arrest in Chenari P.S.
Case No. 70/2015, registered for the offences punishable under
Sections 406, 420 of the Indian Penal Code.

The petitioner is a miller and he lifted 2000 quintals of
paddy from BSFC. He had to deliver 1340 quintals of rice but the
petitioner delivered only 538.55 quintals of rice. He did not
deliver 801.45 quintals of rice, the price of which comes to Rs.
1735588.06/-. The petitioner undertakes to deposit 20% of the
aforesaid amount within six months. The certificate case is also
going on. The case is of breach of agreement between the BSFC
and the miller.

Learned counsel for the BSFC has submitted that the certificate case is also going on and the misappropriated amount shall be adjusted in the certificate proceeding.

Considering the facts aforesaid, the petitioner above named 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 anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Shri Ranjeet Kumar, Judicial Magistrate 1st Class, Sasaram (Rohtas) in connection with Chenari P.S. Case No. 70/2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

If the petitioner fails to deposit 20% of the aforesaid amount i.e. Rs. 1735588.06/- within six months, the bail bond of the petitioner shall be cancelled.

(Prabhat Kumar Jha, J.)

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