

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44283 of 2015

Arising Out of PS.Case No. -128 Year- 2015 Thana -DINARA District- SASARAM (ROHTAS)

Hansraj Singh, Pro. M/S Bajrang Mini Rice Mill, Bariyarpur, son of Late
Baleshwar Singh, Resident of village- Bariyarpur, P.S.- Dinara, District-
Rohtas

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Mishra, Adv.

For the Opposite Party/s : Mr. H.A.Khan(App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 18-12-2015 Heard both sides.

The petitioner apprehends his arrest in Dinara P.S.
Case No. 128/2015, registered for the offences punishable under
Sections 406, 409, 420 of the Indian Penal Code.

The petitioner lifted 2448 quintals of paddy and he
had to deliver 1640.16 quintal of CMR. The petitioner delivered
only 806.20 quintal of CMR. The petitioner is alleged to have
misappropriated 833.96 quintal of CMR, the price of which comes
to Rs. 18,05,990.42.

It is submitted that the petitioner did not
misappropriate any amount. The freight charge is still lying due
against the BSFC. The rice is lying in the godown of the
petitioner, but the BSFC is not ready to lift the same. The

petitioner is ready to deposit 20% of the aforesaid amount within four months. Certificate case is also going on.

Learned counsel for the BSFC did not object, as the petitioner is ready to deposit the amount and the remaining amount shall be realized in the certificate proceeding.

Considering the facts aforesaid and the fact that the petitioner is ready to deposit 20% of the aforesaid amount within four months from today, 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 bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Dipak Kumar III, Judicial Magistrate 1st Class-cum-1st Additional Munsif, Bikramganj (Rohtas) in connection with Dinara P.S. Case No. 128/2015, 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 within four months from today, learned court below shall cancel the bail bond of the petitioner.

(Prabhat Kumar Jha, J.)

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