

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46511 of 2015

Arising Out of PS.Case No. -83 Year- 2015 Thana -ARIYARI District- SEKHPURA

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1. Anjani Kumar S/o Late Sidheshwar Prasad R/o Village & PO - Lohan,
PS - Ariyari, District - Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The District Manager, Bihar State Food and Civil Supplies Corporation,
Sheikhpura.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sumit Kumar
For the Opposite Party/s : Mr. Gulnar Begum (APP)
For the BSFC : Mr. Shailendra Kumar Singh.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

6. 22-12-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection with
Ariyari P.S. Case No 83 of 2015 registered for the offences
punishable under Sections 406, 409 and 420 of the Indian Penal
Code.

Learned counsel for the petitioner submits that though
he is unable to produce any document which has earlier been
directed by this court but he is ready to face and pledge properties
which had already been pledged at the time of agreement which
appears to be roughly 20 per cent of the allegations, as made in the
first information report. It is further submitted that the



petitioner had earlier filed a Request case, in which, this Hon'ble Court had directed the parties to face and decide arbitration proceeding bearing Request No. 17 of 2015, which is admittedly pending before the Collector, Sheikhpura which is not denied by the B.S.F.C. The parties are willing to abide by whatever the decision is made in the arbitration proceeding and the petitioner submits that whatever be the decision in the arbitration case, he shall abide to pay the amount as directed therein.

Considering that the petitioner has agreed to abide by the decision of the arbitration proceedings, let 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, be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Sheikhpura in connection with Ariyari P.S. case No. 83 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

However, it is made clear that the BSFC shall be at liberty to take appropriate steps in accordance with law, if petitioner fails to abide by the undertaking, given before this Court and it shall also be open for BSFC to move this Court for

modification/cancellation of this order in case of non-compliance thereof.

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(Anjana Mishra, J)

