

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49072 of 2015

Arising Out of PS.Case No. -153 Year- 2015 Thana -DIHRINAGAR District- SASARAM
(ROHTAS)

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Punam Kumari, Proprietor Gahlot Mini Rice Mill Mathurapur, wife of Sri Ramesh Kumar Resident of Village- Mathurapur, P.S.- Dalmia Nagar District- Rohtash.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bihar State Food and Civil Supplies Corporation Ltd. Rohtash at Sasaram through the District Manager.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar
For the Opposite Party/s : Mr. Tapeswar Sharma (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 04-11-2015 Heard counsel for the petitioner and Mr. Shailendra Kumar Singh who has appeared on behalf of the Bihar State Food and Civil Supplies Corporation Ltd.

The petitioner runs a rice mill. She is facing accusation punishable under sections 406, 409 and 420 IPC vide Dehri (Dalmia Nagar) P.S. Case NO. 153 of 2015. The allegation, in a nutshell, is that certain quantity of food grains (paddy) was supplied by the informant for milling and supply of CMR to the Corporation. As many as 1500 quintals of paddy was received during the year 2012-13 for the purpose of milling. The petitioner was required to return/deposit 1005 quintals of CMR to the

Corporation but failed to do so. In this way, the petitioner misappropriated the government money to the tune of Rs.21,76,327.80/-.

The contention of the petitioner is that several rice mill owners carrying similar allegations have since been released on anticipatory bail by this Court on condition of deposit of certain percentage of the amount misappropriated/embezzled. The aforesaid contention of the petitioner has not been disputed by the State.

In view of aforesaid, the petitioner above named, in the event of arrest/surrender within five weeks from today, shall be released on provisional bail for a period of four months from the date of the order on furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction SDJM, Dehri, Rohtas in Dehri (Dalmianagar) P.S. Case No. 153 of 2015. Along with the bail bonds, the petitioner must annex a receipt showing deposit of 10% of the misappropriated amount as depicted in the FIR with the Corporation. Remaining 10% of the misappropriated amount depicted in the FIR shall be deposited by the petitioner within four months. Remaining 10% of the amount depicted in the FIR shall be deposited in the same manner by the petitioner with the Corporation and produce the same before the

court along with the application for confirmation of bail
whereafter the court in seisin of the matter shall confirm the bail.
One of the bailors of the petitioner shall be her own/close family
member.

(Kishore Kumar Mandal, J)

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