

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51607 of 2015

=====

1. Vijay Kumar Rajjak son of Jai Prakash Rajjak resident of village Chandan Nagar Gulab Bagh, P.S. Sadar, District Purnea.

.... Petitioner/s

Versus

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

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Mukul
For the State : Mr. Ram Chandra Sahni (App)
For the B.S.F.C. : Mr. Awadhesh Kumar

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 10-12-2015 Heard learned counsel for the petitioner and learned A.P.P. for the State as well as learned counsel for the Bihar State Food and Civil Supplies Corporation.

The petitioner, who is the proprietor of the M/s. Vijay Mini Rice Mill in the district of Purnea, apprehends his arrest in connection with Amour P.S. Case No.156 of 2015 for the offences alleged under Sections 406 and 420 of the Indian Penal Code.

The prosecution case, in brief, is that the informant stated in his written report that as per scheme of the Government, PACS or Vyapar Mandal is required to purchase paddy and to supply to the same to BSFC for making arrangement of milling and obtaining CMR rice and to send it to F.C.I. godown. As per terms and conditions 1634.30 quintal paddy was supplied to the

petitioner Vijay Rice Mill, Gulabbagh for preparing rice from said paddy and the petitioner would have to supply 1094.98 quintal rice against the said supplied paddy. But the petitioner did not supply rice of proportionate ratio of paddy and thereby committed cheat and breach of trust.

It has been submitted by learned counsel for the petitioner that the petitioner had to supply milled rice of 1094.98 quintal rice but he has deposited 921.90 quintals.

Learned counsel for the B.S.F.C. submits that the balance outstanding amount of CMR milled rice is Rs.4,52,085/-.

The petitioner undertakes to deposit 20 % of the said amount of Rs. 4,52,085/- within a period of three months from today.

On such undertaking, let the petitioner, namely, Vijay Kumar Rajjak, in the event of his arrest/surrender before the court below within a period of twelve weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each in connection with Amour P.S. Case No.156 of 2015 to the satisfaction of Sri Awadhesh Kumar, Sub Judge, VIth, Purnea, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

V.P.Sinha/-

U			
---	--	--	--

(Nilu Agrawal, J)