

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35190 of 2015

Arising Out of PS.Case No. -57 Year- 2015 Thana -BIKRAMGANJ District- SASARAM
(ROHTAS)

Sanjay Kumar Singh Son of Late Harihar Singh proprietor of M/s Askamini Mini Rice Mill, resident of village - Reidia, P.O. - Bikramganj, P.S. - Bikramganj, District - Rohtas (Sasaram).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumeet Kumar Singh

For the Opposite Party/s : Mr. Smt.Pushpa Sinha (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

4 30-10-2015 Heard both sides.

The petitioner apprehends his arrest in Bikramganj P.S. Case No. 57/2015, registered for the offences punishable under Section 406, 420 of the Indian Penal Code and Section 7 of the E.C. Act.

The petitioner lifted 10500 quintals of paddy and he had to deliver 7035 quintals of rice. He delivered only 5130 quintals of rice. 1905 quintals of rice is still lying against the petitioner, the price of which comes to Rs. 36,25,462.65.

It is submitted that the petitioner did not commit any breach of agreement rather B.S.F.C. has not paid amount for transportation. The petitioner is still ready to deposit 20% of the

aforesaid amount i.e., Rs. 36,25,462.65 within six months from the date of this order. The certificate case is going on.

Considering the facts aforesaid and the fact that the petitioner is ready to deposit 20% of Rs. 36,25,462.65 within six months, the petitioner, 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 the learned Sub-divisional Judicial Magistrate, Bikramganj, in connection with Bikramganj P.S. Case No. 57/2015, subject to the conditions as laid down under Section 438(2) of the Cr. P.C. If the petitioner fails to deposit the 20% of the aforesaid amount within six months, the learned court below shall cancel the bail bond of the petitioner.

(Prabhat Kumar Jha, J.)

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