

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19219 of 2015

Arising Out of PS.Case No. -63 Year- 2011 Thana -SAHIYARA District- SITAMARHI

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Maheshwar Singh, S/o Late Tek Narayan Singh, Resident of village-
Chhaurahiya, P.S.- Sahiyara, District- Sitamarhi

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari, Advocate

For the Opposite Party/s : Mr. Iftekhar Mahmood(APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 24-09-2015 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection with Sahiyara P.S. Case No.63 of 2011 for allegedly having committed the offence under Section 409 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is a P.D.S. Dealer within Bathnaha Block in the district of Sitamarhi and a demand for refund of Rs.5,97,046/- was made towards the value of undistributed rice to the tune of 435.80 quintals allotted under SGRY Scheme. Learned counsel for the petitioner submits that earlier the petitioner had approached this Hon'ble Court after depositing Rs.2,00,000/-



and this Hon'ble Court had directed the petitioner to file a representation, which he had accordingly filed. The said order dated 16.11.2011 passed by this Court in CWJC No.17260 of 2011 has been annexed as Annexure 2. It is submitted that till date, the representation so filed has not been considered, instead the present F.I.R. has been filed in which the petitioner is facing prosecution. It is further submitted that by the earlier order, direction has also been issued not to take any coercive steps against the petitioner till the disposal of the representation of the petitioner, but even though the present case has been lodged.

Considering the aforementioned facts and circumstances and also because the petitioner has already had the interim order in his favour, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of three weeks from the date of receipt/production of a copy of this order, be released 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 Chief Judicial Magistrate, Sitamarhi, in connection with Sahiyar P.S. Case No.63 of 2011, subject to the conditions

as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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