

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25705 of 2015

Arising Out of PS.Case No. -70 Year- 2015 Thana -KUDRA District- BHABHUA (KAIMUR)

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Anil Pratap Singh, son of Kedar singh, resident of village- Pachpokhri,
resident of village- Kudra, P.S.,- Kudra, District- Kaimur at Bhabhua

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sumeet Kumar Singh, Advocate.

For the Opposite Party : Mr. Ajay Kumar-Ii(App)

For the B.S.F.C. : Mr. Shailendra Kumar Singh, Advocate.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 10-07-2015 Heard both sides.

The petitioner apprehends his arrest in Kudra P.S. Case No. 70 of 2015, registered for the offences punishable under Sections 409 and 420 of the Indian Penal Code.

The petitioner lifted 10000.00 quintals of paddy for milling and he has to deposit 6160.00 quintals of CMR of rice till 31.12.2014. The petitioner did not deliver any amount of rice to the B.S.F.C. or F.C.I. and thereby petitioner misappropriated Rs. 1,52,67,929.00/-.

Learned counsel for the petitioner submits that the petitioner is ready to deposit 20 per cent of the total amount within five months in the account of B.S.F.C., Patna and for the rest amount the B.S.F.C. shall realize in accordance with law under the

proceeding filed in PDR Act by the B.S.F.C.

Mr. Shailendra Kumar Singh, the learned counsel for B.S.F.C. has agreed to this order.

Considering the facts aforesaid, the petitioner shall deposit 20 per cent of the entire amount within five months from the date of receipt of this order and for the rest amount the petitioner and the authority of the B.S.F.C. shall resolve the disputes through proper means within six months thereafter, but 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, 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 Chief Judicial Magistrate, Kaimur at Bhabhua in Kudra P.S. Case No. 70 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. It is further directed that if the petitioner fails to deposit 20 per cent of the total amount within five months from the date of this order, the learned court below shall cancel the bail bonds of the petitioner.

(Prabhat Kumar Jha, J.)

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