

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30076 of 2015

Arising Out of PS.Case No. -113 Year- 2015 Thana -MOHANIA District- BHABHUA (KAIMUR)

=====

Krishna Kant Singh, son of Shri Muni Singh, resident of Village-
Bhatwalia, P.S. Mohania, District- Kaimur at Bhabhua.

.... Petitioner/s

Versus

1. The State of Bihar,
2. The Bihar State Food and Civil Supply Corporation Ltd., Kaimur at
Bhabhua.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Viveka Nand Singh, Advocate.

For the Opposite Party/s : Mr. U.S.P.Singh(APP)

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-07-2015 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner is apprehending his arrest in
Mohania P.S. Case No. 113 of 2015 registered under Sections
409 and 420 of the Indian Penal Code.

Prosecution case, in short, is that the petitioner
being owner of rice mill has received paddy of 8800 quintals
under an agreement to deposit rice of C.M. R. but the petitioner
has not deposited of C.M.R and Rs. 1,46,13,589.764 has been
embezzled for personal benefit.

It has been submitted on behalf of the petitioner
that as per the allegation the outstanding dues against the
petitioner is of Rs. 1,46,13,589.764. It is further submitted
that petitioner is ready to deposit 20% of the said amount
within a period of twelve months.

On behalf of the State it has been submitted that the petitioner is named in the first information report and there is direct allegation against him.

Considering the aforesaid facts and circumstances, petitioner is directed to deposit 20% of Rs. 1,46,13,589.764 before the State Food Corporation within a period of twelve months through bank draft.

In the meantime, the above named petitioner in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order is directed to be enlarged on provisional anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabhua in Mohania P.S. Case No. 113 of 2015, subject to the conditions laid down under Section 438(2) Cr.P.C. The provisional bail granted to the petitioner shall be confirmed by the court below, if the petitioner produces certificate showing that the 20% of the outstanding dues has been deposited by him before the State Food Corporation within a period of twelve months through bank draft.

Mkr./-

(Sudhir Singh, J.)

U			
---	--	--	--