

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30084 of 2015

Arising Out of PS.Case No. -27 Year- 2015 Thana -THAWE District- GOPALGANJ

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Ajay Kumar Singh, S/o. Sri Amar Bahadur Singh, resident of Village-
Phulgani, P.S. Thawe, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar,
2. Bihar State Food and Civil Supplies Corporation Ltd. through its
Managing Director, Gopalganj.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashish Giri, Advocate.

For the Opposite Party/s : Mr. Nawal Kishore Pd.(App)

For the BSFC : Mr. Shailandra Kumar Singh, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 31-07-2015 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner is apprehending his arrest in Thawe
P.S. Case No. 27 of 2015 registered under Sections
406/409/417/420/34 of the Indian Penal Code.

Prosecution case, in short, is that the petitioner
being owner for rice mills has received paddy of 18000 quintals
under an agreement to deposit 67% of C.M. R. but the
petitioner has not deposited and Rs. 1, 19,50,975.00 (including
interest) 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. 1,19,50,975.00. 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. 1,19,50,975.00 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 Sub-Divisional Judicial Magistrate, Gopalganj, in Thawe P.S. Case No. 27 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.

(Sudhir Singh, J.)

Mkr./-

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