

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.34940 of 2015**

Arising Out of PS.Case No. -91 Year- 2015 Thana -DUMRA District- SITAMARHI

Tarkeshwar Kumar

.... .... Petitioner/s

Versus

State of Bihar & Anr

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Mr. P.K. Chourasiya (App)

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**

**ORAL ORDER**

2 03-09-2015

Heard learned counsels for the petitioner and Bihar

State Food and Civil Supplies Corporation Ltd.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 406, 409 and 420/34 of the Indian Penal Code.

The prosecution case is that under an agreement the petitioner being rice miller was supplied 1000 quintals of paddy by the Sitamarhi unit of Bihar State Food and Civil Supplies Corporation Ltd. during the agriculture years 2012-13 in lieu thereof he was supposed to supply 670 quintals of custom milled rice. The petitioner supplied only 540 quintals of custom milled rice but failed to supply 130 quintals of processed rice worth ₹2,81,522.80/-.

It is submitted by learned counsel for the petitioner

that the petitioner has already deposited the entire amount and, consequently, the officials of the Bihar State Food and Civil Supplies Corporation Ltd. have intimated to the police station concerned for not taking any action against the petitioner.

This contention of learned counsel for the petitioner has not been controverted by Mr. Shailendra Kumar Singh, learned counsel for the Bihar State Food and Civil Supplies Corporation Ltd.

Considering the aforesaid fact, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Dumra P.S. Case No.91 of 2015 in connection with learned Chief Judicial Magistrate, Sitamarhi, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

**(Dinesh Kumar Singh, J)**

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|