

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35375 of 2015

Arising Out of PS.Case No. -42 Year- 2015 Thana -DARIHAT District- SASARAM (ROHTAS)

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Sri Rajeev Kumar S/o Sri Kanhaiya Tiwary resident of village - Ganua,
P.O. - Baraon, P.S. - Darihat, District - Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bihar State Food and Civil Supplies Corporation Limited, through
District Manager, Buxar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajanan Arun
For the BSFC: Mr.S.K.Singh
For the Opposite Party/s : Mr. Lalan Kumar (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 21-08-2015 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State assisted by the

learned counsel for the B.S.F.C.

The petitioner is apprehending his arrest in Darihat

P.S. Case No.42/15 for the offence under Sections 409 and 420 of

the I.P.C.

The learned counsel for the petitioner submits that

as per the F.I.R. the petitioner is said to have defalcated an amount

to the tune of Rs.66,40,063.00. It is submitted that the petitioner

did not return the requisite amount of prepared rice which was

received by him and, therefore, with mala fide intention he had

retained the substantial amount a sum of Rs.66,40,063.00.

Learned counsel for the petitioner submits that the petitioner is willing and ready to deposit 20% of the defalcated amount so alleged in the F.I.R. within a period of eight months from today.

It is made clear that the bank guarantee of Rs.5/- lacs will be adjusted from the 20% of the aforesaid amount which shall be deposited by the petitioner within a period of eight months from today. Learned counsel for the B.S.F.C. does not object to the offer of the petitioner.

In view of the offer made by the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the court below within three weeks from today be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the C.J.M., Rohtas at Sasaram, in Darihat P.S.Case No.42/15 subject to the conditions as laid down under section 438 (2) Cr.P.C.

(Anjana Mishra, J)

AnilKrSinha/-

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