

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39235 of 2015

Arising Out of PS.Case No. -44 Year- 2015 Thana -KOCHAS District- SASARAM (ROHTAS)

1. Ashok Kumar Singh S/o Late Kulbansh Singh, Resident of Village- Siri,
P.S.- Kargahar, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The District Manager, State Food Corporation, Rohtas, Sasaram.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh

For the Opposite Party/s : Mr. Sanjay Kumar (App)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 30-09-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Kochas (Parsathuan) P.S.Case No. 44/2015 registered for
offences punishable under Sections 406,409 and 420 of the Indian
Penal Code.

The prosecution case is based upon the written
statement of one Dinesh Prasad Singh, District Manager, State
Food Corporation, Rohtas, Sasaram (hereinafter referred as
Corporation) on the direction of the District Magistrate, Rohtas to
the effect that in the light of agreement between the petitioner and
the Corporation, the petitioner received 14570 quintal paddy for

milling and he had to deposit 67 % CMR i.e. total 9761.90 quintal but he had deposited only 8071.03 quintal rice till 30.04.2013 which was the cut off date to deposit CMR. It was further alleged that the petitioner has intentionally not deposited 1690.87 quintal CMR worth Rs. 3217945.42 and has defalcated government money.

Learned counsel for the petitioner has submitted that the liability being purely civil liability and he is ready to deposit 20% of the alleged amount within a period of nine months from today.

Under such circumstances, let the petitioner, above named, in the event of his arrest or surrender within a period of four weeks from today before the Court below be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Kochas (Parsathuan) P. S. Case No. 44/2015, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Nilu Agrawal, J)

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