

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49123 of 2015

Arising Out of PS.Case No. -37 Year- 2015 Thana -MALI District- AURANGABAD

=====

Surendra Kumar Singh, S/o Late Harbansh Singh, Resident of Village-
Nawadih, P.S.- Mali, District- Aurangabad

.... Petitioner/s

Versus

1. The State of Bihar
2. Bihar State Food & Civil Supply Corporation Limited, Aurangabad
through its District Manager.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajeev Kumar Singh

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

=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 04-11-2015 Heard Mr. Krishna Pd. Singh for the petitioner and

counsel for the Bihar State Food and Civil Supplies

Corporation (for short 'the Corporation').

The petitioner being the rice mill owner is facing
accusation punishable under sections 409,420 and 406/34
IPC vide Mali P.S. Case No. 37 of 2015. The allegation, in
brief, is that as per the agreement the petitioner got 5600
quintal of paddy for milling. In return, he was to supply 3752
quintal of CMR but deposited only 1890 quintal of CMR
with the Corporation. Remaining 1862 quintal of rice
quantified at Rs. 2165.56 was misappropriated.

The contention of the petitioner is that several other

rice mill owners carrying similar allegations have been granted the privilege of anticipatory bail on certain conditions.

Counsel for the Corporation has fairly stated that on condition of payment of certain percentage of the misappropriated amount this Court has granted the privilege of anticipatory bail to some other accused persons.

Having regard to the facts and circumstances of the case, the petitioner above named, in the event of arrest/surrender within five weeks from today, shall be released on provisional bail for a period of five months from the date of orders on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Aurangabad in Mali P.S. Case No. 37 of 2015. Along with the bail bonds, the petitioner must annex the receipt showing deposit of 10% of the misappropriated amount as depicted in the FIR with the Corporation. The petitioner shall produce receipt of the remaining 10% of the misappropriated amount with the Corporation along with an application before the expiry of the period of provisional bail for confirmation thereof. If the amount as directed is deposited by the petitioner, the court

below shall confirm the bail of the petitioner. One of the bailors of the petitioner shall be his/own close family member.

(Kishore Kumar Mandal, J)

HR/-

U		T	
---	--	---	--