

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41303 of 2015

Arising Out of PS.Case No. -72 Year- 2015 Thana -MAHNAR District- VAISHALI(HAJIPUR)

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Kedar Nath Ram, S/o Nageshwar Ram, resident of village- Chainpur, P.S.-
Datiyapur, District- Saran, at present posted as Block Agriculture Officer-
cum- Incharge- Purchase Centre, Mahnar, P.S.- Mahnar, District- Vaishali
..... Petitioner/s

Versus

1. The State of Bihar
2. Sumeshwar Pandey, S/o Ramgachhi Pandey, District Manager, State
Food Corporation, Ahilya Gautam Nagar Colony, Vaishali, P.S.- Rajeev
Nagar, Patna

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur, Advocate
For the Opposite Party/s : Mr. S.Dayal (App)

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

2 08-10-2015 Heard learned counsel for the petitioner and the

State.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 420, 409
of the Indian Penal Code and 7 of the Essential Commodities
Act.

The prosecution case is that the petitioner being
Block Agriculture Officer was made in- charge of Paddy
Purchase Centre, has purchased 4597 quintals of paddy from
different PACS, but he supplied 3192 quintals of paddy to the
rice millers and did not gave account for 1885 quintals of
paddy worth Rs. 24,58,794/-. The District Magistrate directed
the petitioner to deposit the aforesaid amount, but the
petitioner failed to deposit the same.

It is submitted by the learned counsel for the

petitioner that the petitioner is ready to deposit the aforesaid amount within a period of 10 months in five bi monthly equal installments, of which first installment will be deposited at the time of furnishing bail bond. Though, statement to that effect has not been made in the petition.

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for 10 months, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Mahnar P.S. Case No. 72 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioner will be confirmed by the learned court below on deposit of the entire amount within a period of 10 months in five bi monthly equal installments.

(Dinesh Kumar Singh, J)

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