

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31830 of 2015

Arising Out of PS.Case No. -35 Year- 2014 Thana -MADHUBANI TOWN District- MADHUBANI

Kishori Prasad son of Sri Krishna Prasad, resident of village - Madhopur,
Police Station - Maner in the district of Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. The Bihar State Food and Civil Supplies Corporation Limited, Bihar,
Patna

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhilesh Kumar Singh, Sr. Advocate
: Mr. Prabhu Narayan Sharma, Advocate
For the Opposite Party/s : Dr. Rabindra Kumar, APP
For B.S.F.C. : Mr. Shailendra Kumar Singh, Advocate

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 30-10-2015 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the BSFC.

The petitioner is apprehending his arrest in connection
with Madhubani Town P.S.Case No.35 of 2014 registered under
sections 406, 409 and 420 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
allegation of defalcation of Rs. 75,83,783.00/- has been made
against this petitioner as per the FIR for which he is facing
prosecution. Learned counsel further submits that out of total
amount of Rs.75,83,783.00/- he has already deposited
Rs.30,00,000/- and was further willing to make deposit in easy

equal installments.

In view of the offer made by the petitioner, let the petitioner deposit 20% of the remaining amount as alleged in the FIR within a period of six months in equal installments.

Considering the stand taken by the petitioner, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhubani in connection with Madhubani Town P.S. Case No.35 of 2014 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

In case the petitioner fails to comply with the aforementioned offer as made by him, it shall be open to the BSFC to seek appropriate legal remedies in accordance with law.

(Anjana Mishra, J)

Md.S./-

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