

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25054 of 2015

Arising Out of PS.Case No. -191 Year- 2015 Thana -BHABHUA District- BHABHUA (KAIMUR)

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1. Ram Badai Singh son of Late Bagedu Singh resident of Village - Odar,
P.S. Sonhan (Bhabua), District - Kaimur (Bhabhua).

.... Petitioner/s

Versus

1. The State of Bihar.
2. Pramod Kumar Pathak son of Late Uday Chandra Pathak resident of
Village - Samar, P.S. - Baukhara, District - Sitamarhi, Informant cum
District Manager, Bihar State Food and Civil Supply Corporation, Kaimur
(Bhabua).

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramchandra Singh.Adv

For the Opposite Party/s : Mr. Suresh Pd. Singh,APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-07-2015 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner is in custody since 20.04.2015 in
connection with Bhabua (Sonhan) P.S. Case No. 191 of 2015
registered under sections 409/420 of the Indian Penal Code.

Prosecution case, in short, is that the District
Manager, State Food and Civil Supply Corporation, Kaimur
through his letter No. 609 dated 17.04.2015 to the Officer-
in-Charge, Sonhan Police Station for institution of F.I.R.
against the petitioner, who is the proprietor of M/s. Raju Mini
Rice Mill informing that the petitioner received 4000 quintals
of paddy under an agreement to deposit 2680.00 quintals of
rice but the petitioner has not deposited the same within the



prescribed time i.e. 31.03.2013. The petitioner has defalcated 1605.40 quintals of rice by not depositing the rice. Against the total value of rice i.e. 30,55,284.90 the petitioner has deposited only a sum of Rs. 5,50,000/- including Rs. 50,000/- deposited as security money. Hence, a sum of Rs. 24,55,284.90 has been embezzled for personal benefit.

It has been submitted on behalf of the petitioner that as per the allegation the outstanding dues against the petitioner is of Rs. 24,55,284.90 . It is further submitted that petitioner is ready to deposit 20% of the said amount within a period of six months.

On behalf of the State it has been submitted that the petitioner is named in the first information report and there is direct allegation against him.

Considering the aforesaid facts and circumstances, the above named petitioner is directed to be released on provisional bail 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, Kaimur at Bhabua in connection with Bhabua (Sonhan) P.S. Case No. 191 of 2015, subject to the condition that the petitioner will deposit 20% of Rs.24,55,284.90 before the State Food Corporation within a period of six months through bank draft.

Thereafter, on production of certificate his bail shall be confirmed by the Court below.

(Sudhir Singh, J)

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