

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.28732 of 2015**

Arising Out of PS.Case No. -41 Year- 2015 Thana -SHAKURABAD District- JEHANABAD

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Madan Mohan Sharma S/o Shyam Sundar Sharma Resident of Village -  
Mirzapur, P.S. - Sakurabad, District - Jehanabad.

.... .... Petitioner

Versus

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

.... .... Opposite Parties

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**Appearance :**

For the Petitioners : Mr. Yogesh Chandra Verma, Sr. Advocate.  
For the Opposite Parties : Smt. Sucheta Yadav(App)  
For the B.S.F.C. : Mr. Shailendra Kumar Singh, Advocate.

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

2      11-08-2015      Heard both sides.

The petitioner seeks bail in a case registered for the offences punishable under Sections 406 and 420 of the Indian Penal Code and Section 7 of the Essential Commodities Act.

The petitioner is a rice mill owner. He lifted 2967.20 quintals of paddy and after milling the petitioner had to deliver 1988.02 quintals of rice, but the petitioner delivered only 540.00 quintals of rice meaning thereby the petitioner misappropriated 1448.02 quintals of rice, price of which comes to Rs. 31,35,774.00/-. The mill of the petitioner was inspected but neither paddy nor rice was found.

It is submitted that a certificate case is going on and

petitioner has pledged the entire property of mill from which the corporation can realize the misappropriated amount by putting the same on auction. The petitioner is in jail since 30.05.2015.

Considering the facts aforesaid, the petitioner above named is directed to be enlarged on 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 Judicial Magistrate 1<sup>st</sup> Class, Jehanabad in Shakurabad P.S. Case No. 41 of 2015.

**(Prabhat Kumar Jha, J.)**

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