

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29140 of 2015

Arising Out of PS.Case No. -166 Year- 2015 Thana -SUPAUL District- SUPAUL

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Gayatri Devi W/o Lal Babu Jaiswal Resident of Chandan Nagar, Ward No. 46, Gulabagh, P.S. Sadar, District Purnea, Proprietor of M/s Hari Om Rao Rice Industries.

.... Petitioner

Versus

1. The State of Bihar.
2. The Bihar State Food and Civil Supplies Corporation Limited through its Managing Director, Birchand Patel Path, Patna.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Zainul Abedin, Advocate.
For the Opposite Parties : Mr. M.K.Khare(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 16-07-2015 Heard both sides.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 406, 409 and other Sections of the Indian Penal Code.

The petitioner lifted 2064.88 MT of paddy, after milling the petitioner had to deliver 1383.47 MT of CMR rice in the year 2012-13. The petitioner had delivered only 432 MT of the CMR rice, but did not deliver 951.47 MT CMR rice the price of which comes to Rs. 2,06,04,653.73/-. The petitioner had already deposited Rs. 37 Lakhs.

Learned counsel for the petitioner submits that the petitioner is ready to deposit 20 per cent of the aforesaid amount within six months from the date of receipt of this order accordingly, the counsel

appearing on behalf of B.S.F.C. did not object and submits that Certificate Case is also going on for realization of the amount.

Considering the facts aforesaid, the petitioner shall deposit 20 per cent of the entire amount within six months from the date of receipt of this order and for the rest amount the petitioner and the authority of the B.S.F.C. shall resolve the disputes through proper means within six months thereafter, but the petitioner above named, in the event of his 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, 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 Chief Judicial Magistrate, Supaul in Supaul P.S. Case No. 166 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. If the petitioner fails to deposit 20 per cent of the total amount within six months from the date of this order, the learned court below shall cancel the bail bonds of the petitioner.

(Prabhat Kumar Jha, J.)

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