

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12412 of 2015

Arising Out of PS.Case No. -30 Year- 2015 Thana -UDWANTNAGAR District- BHOJPUR

Mukesh Kumar Singh

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh

For the BSFC : Mr. Shailendra Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-03-2015 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 406, 409 and 420 of the Indian Penal Code.

It is alleged that the petitioner was supplied 9800.29 quintals of paddy when he was supposed to supply 6566.19.43 quintals of processed rice but the same were not supplied by the petitioner.

It is submitted by learned counsel for the petitioner that substandard quality of paddy was supplied against which the petitioner made protest and Clause-15 of the agreement suggests that the money has to be recovered through certificate proceeding.

It is submitted by Mr. Shailendra Kumar appearing on

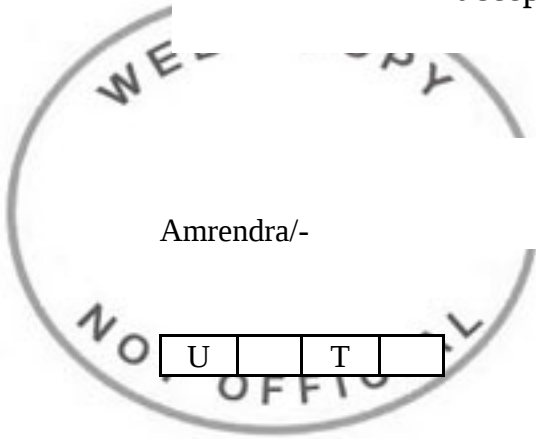
behalf of Bihar State Food Corporation that the petitioner did not supply the processed rice at all, though, he wrote inconsistent letters to State Food Corporation with regard to supply of processed rice and for initiating certificate proceeding, the process is underway.

Learned counsel for the petitioner submits that the petitioner is ready to deposit 30% of the price of the supplied paddy at the rate of Rs. 1380/- per quintal within a period of three months.

It is submitted by Mr. Shailendra Kumar appearing on behalf of Bihar State Food Corporation that the aforementioned money will be accepted in terms of the condition as stipulated in letter no. 891 dated 20.01.2015.

Considering the present stand of the parties, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bhojpur at Arrah in connection with Udwant Nagar P.S. Case No. 30 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bonds of the petitioner will be provisionally
accepted till deposit of the aforesaid money.



Amrendra/-

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(Dinesh Kumar Singh, J)