

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19956 of 2015

Arising Out of PS.Case No. -156 Year- 2015 Thana -BHABHUA District- BHABHUA (KAIMUR)

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1. Smt. Madhu Devi W/o Sri Sanjay Kumar Jaiswal Resident of Village Bhabhua, P.S. Bhabhua, District Kaimur (Bhabhua).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sumeet Kumar Singh

For the Opposite Party/s : Mr. Vinod Shankar Modi(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 13-07-2015 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is apprehending her arrest in Bhabhua P.S. Case No. 156 of 2015 registered under sections 409/420 of the Indian Penal Code.

Prosecution case, in short, is that the petitioner entered into an agreement with State Food Corporation for milling 12,500 quintals of paddy latest by 31.12.2014 but neither the milled rice was given back to the Corporation nor the paddy or milled rice was found in the godown of the petitioner so, he misappropriated rice worth Rs. 01, 21, 58, 194.40/-.

It has been submitted on behalf of the petitioner that as per the allegation the outstanding dues against the petitioner is of Rs. 01, 21, 58, 194.40/- . It is further submitted that petitioner is ready to deposit 20% of the said amount within a period of ten 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 her.

Considering the aforesaid facts and circumstances, petitioner is directed to deposit 20% of Rs. 01, 21, 58, 194.40/- before the State Food Corporation within a period of ten months through bank draft. In the meantime, the above named petitioner 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 provisional anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhabhua in Bhabhua P.S. Case No. 156 of 2015, subject to the conditions laid down under section 438(2) Cr.P.C. The provisional bail granted to the petitioner shall be confirmed by the court below, if the petitioner produces certificate showing that the 20% of the outstanding dues has been deposited by him before the State Food Corporation within a period of ten months through bank draft.

(Sudhir Singh, J)

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