

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28103 of 2015

Arising Out of PS.Case No. -145 Year- 2015 Thana -MOHANIA District- BHABHUA (KAIMUR)

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Ayodhya Prasad Gupta son of Sri Kashi Nath Sah, resident of village-
Baghini Kala, P.S. Mohania, District Kaimur at Bhabua

.... Petitioner

Versus

1. The State of Bihar
2. The Bihar State Food Corporation

.... Opposite Parties

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Appearance :

For the Petitioner	: Mr. Tribhuwan Narayan, Advocate.
For the Opposite Parties	: Mr. Sanjay Kr. Sharma (App)
For the B.S.F.C.	: Mr. Shailendra Kr. Singh, Advocate.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 24-07-2015 Heard both sides.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 409 and 420 of the Indian Penal Code.

The petitioner lifted 2000 quintals of paddy for milling and he had to deliver 1340 quintals of rice, but the petitioner has not deposited even a single kg of rice thereby the petitioner misappropriated Rs. 23,18,231/-.

Mr. Tribhuwan Narayan, the learned counsel appearing on behalf of the petitioner submits that the petitioner is ready to pay 20 per cent of the amount within six months.

Mr. Shailendra Kumar Singh, the learned counsel

appearing for the B.S.F.C. did not raise objection and submits that the rest amount shall be realized in a proceedings initiated under the P.D.R. Act.

Considering the facts aforesaid, 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, Kaimur at Bhabua in Mohania P.S. Case No. 145 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 Rs. 23,18,231/- within six months, the learned court below shall cancel the bail bond of the petitioner.

(Prabhat Kumar Jha, J.)

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