

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28035 of 2015

Arising Out of PS.Case No. -154 Year- 2015 Thana -KAJI MUHAMMADPUR District-
MUZAFFARPUR

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1. Mritunjay Kumar S/o Late Ram Sagar Singh Proprietor of M/s Bhardwaj
Industry, Resident of Village Chhtauna, P.S. Nawkothe, District Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Bihar State Food & Civil Corporation, Bihar, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lakshmi Kant Sharma
For the State : Mr. Smt. Anita Kumari(App)
For the BSFC Mr. Shailendra Kumar Singh, Adv.

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER**

2 27-07-2015 Heard learned counsel for the petitioner, learned
counsel for the Corporation as well as learned Additional
Public Prosecutor for the State.

Petitioner apprehends his arrest in connection
with Kazi Mohammadpur P.S. Case No. 154 of 2015 registered
for the offences punishable under Sections 419, 420 of the
Indian Penal Code.

Petitioner happens to be rice miller and the
accusation against him is that he did not supply rice to the

Corporation though he had already lifted paddy and accordingly, embezzled the government money to the tune of Rs. 59,23,174.75/-

The contention on behalf of the petitioner is that petitioner had sent the prepared rice to the Corporation on 28.12.2013 but the officials of Corporation refused to accept the rice and accordingly, petitioner was compelled to take the rice to his godown. Learned counsel for the petitioner submits that petitioner is ready to deposit 20 % of amount without admitting the prosecution case.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Muzaffarpur in Kazi Mohammadpur P.S. Case No. 154 of 2015 subject to condition as laid down under Section 438(2) of the Cr.P.C. and furthermore, petitioner shall deposit 20 % of amount in question with concerned authorities within nine months from

the date of furnishing bail bonds, failing which the concerned court shall be at liberty to cancel the bail bonds of the petitioner.

(Hemant Kumar Srivastava, J)

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