

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28643 of 2015

Arising Out of PS.Case No. -102 Year- 2015 Thana -RAXAUL District-
EASTCHAMPARAN(MOTIHARI)

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Pramod Kumar son of Late Ramdayal Prasad resident of village Sapahi,
P.S. Turkaulia, District East Champaran . Prop. Shivani Rice Mill.

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Mohan Mishra

For the Opposite Party/s : Mr. Ashok Kumar(App)

For the B.S.F.C. : Mr. Shailendra Kumar Singh.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 23-07-2015

Heard both sides.

The petitioner apprehends arrest in a case under
sections 409 and 420 and 120-B/34 of the Indian Penal Code.

It is alleged that the petitioner lifted 5200
quintals of paddy and he had to deliver 3484 quintals of rice after
milling but the petitioner did not deliver 2674 quintals of rice, the
price of which comes to Rs. 57,90,707.44 P. The petitioner
deposited Rs.88,000/- and now the remaining amount of
Rs.57,02,707.44P is still lying due against the petitioner.

It is submitted that the petitioner is ready to
deposit 20% of the aforesaid amount within six months.

Learned counsel for the B.S.F.C. has not raised
any objection.

Considering the facts aforesaid, let the petitioner, above named, in the event of arrest or surrender in the court below within four weeks from the date of receipt/production of a copy of this order, 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, Motihari (East Champaran) in connection with Raxaul P.S. Case No. 102 of 2015, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure, 1973, and that if the petitioner fails to deposit 20 per cent of the aforesaid amount within a period of six months, then the court below shall cancel the bail bonds of the petitioner.

(Prabhat Kumar Jha, J)

Amin/-

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