

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30504 of 2015

Arising Out of PS.Case No. -58 Year- 2015 Thana -SAHEBGANJ District- MUZAFFARPUR

1. Ram Ekbal Patel Son of Bhola Nath Rai, Resident of Village - Husepur,
P.S. - Sahebganj, District - Muzaffarpur, at present Incharge Nirakshak cum
in- Charge of rice purchase centre, Sahebganj, District - Muzaffarpur.

.... Petitioner/s

Versus

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

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yugal Kishore, Adv
For the State : Mr. Ganesh Prasad Singh (App)
For S.F.C. : Mr. Shailendra Kumar Singh, Adv

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 11-08-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection with Sahebganj P.S. Case No. 58 of 2015 registered for the offences punishable under Sections 406, 409 and 420 of the Indian Penal Code and Section 7 of the Essential Commodity Act.

Learned counsel for the petitioner submits that the allegation against the petitioner is that he defalcated 8885.57 Quintal, resulting in a loss of Rs. 1,52,42,306.78/-. Learned counsel for the petitioner further submits that the authorities have inspected only one godown, the remaining paddy is said to be stored in other go-downs of which verification has not been made. He further submits that only after verification of the other two godown the loss, if any, can be quantified.

Considering the aforementioned facts and circumstances and subject to the condition that the petitioner shall deposit the 25% of the alleged misappropriated amount as alleged in the F.I.R. within a period of 8 months from today, and also in view of the fact that this Court had passed several orders and extended the privilege of anticipatory bail to other such similarly situated persons facing prosecution under PDR Act, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of three weeks from the date of receipt/production of a copy of this order, 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 learned S.D.J.M., West Muzaffarpur in connection with Sahebganj P.S. Case No. 58 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

In the mean time, it will be open to the District Magistrate, Muzaffarpur to make fresh verification in which it is expected that the petitioner shall cooperate. It shall be open to the authorities to take further steps for modification of the present order.

(Anjana Mishra, J)

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