

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36175 of 2015

Arising Out of PS.Case No. -165 Year- 2015 Thana -SUPAUL District- SUPAUL

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Mahendra Prasad Jaiswal, son of Baleshwar Prasad Jaiswal, resident of Chandan Nagar, P.S.-Sadar, District-Purnea, Proprietor of M/s Mahendra Mini Rice Mill

.... Petitioner/s

Versus

1. The State of Bihar
2. The Bihar State Food and Civil Supplies Corporation Limited through its Managing Director, Birchand Patel Path, Patna

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Zainul Abedin, Advocate
For the State : Mr. Manoj Kumar-I(APP)
For the BSFC : Mr. Shailendra Kumar Singh, Advocate

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 13-08-2015 Heard learned counsel for the petitioner and the learned counsel for the Bihar State Food Corporation as well as the learned counsel for the State.

The petitioner is apprehending his arrest in connection with Supaul P.S. Case No.165 of 2015 for allegedly having committed the offence under Sections 406, 409, 420 and 120B of the Indian Penal Code.

Learned counsel for the petitioner submits that the allegation has been made that the petitioner has misappropriated public money to the tune of Rs.48,99,579.50 paise. Learned counsel, however, submits that the petitioner has already deposited Rs.9,00,000/- in the Office of the BSFC, Patna prior to the filing of the F.I.R., which may be deducted from the said

amount. It is evident on perusal of the F.I.R. itself that in the net, the actual demand as made is of Rs.39,99,579.50 paise, which finds place in the F.I.R itself.

Considering the fact that the petitioner is willing and ready to deposit out of the aforesaid amount 20%, which should include Rs.9,00,000/- already deposited by him, 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 bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Supaul, in connection with Supaul P.S. Case No.165 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

The said order is subject to the undertaking given by him before this Court.

(Anjana Mishra, J)

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