

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50924 of 2015

Arising Out of PS.Case No. -55 Year- 2015 Thana -NASRIGANJ District- SASARAM (ROHTAS)

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Rajendra Singh, son of Parshuram Singh, Proprietor of Sri Ram Jee Rice Mill, Rajpur, Mill Code S-13, R/o Vill. + P.O. – Rajpur, P.S. Rajpur, Distt. Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar
2. Bihar State Food and Civil Supply Corporation Ltd. Rohtas, (Sasaram).

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Prasad Singh, Advocate.

For the Opposite Party/s : Mr. Anil Kumar, A.P.P.

For the BSFC: Mr. Awadhesh Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 08-12-2015 Heard both sides.

The petitioner apprehends his arrest in a case under Sections 419, 420 and 406 of the Indian Penal Code.

The petitioner lifted 9800 quintals of paddy from the Bihar State Food & Civil Supplies Corporation Limited. The petitioner had to deliver 6566 quintals of rice but the petitioner deposited only 485.65 quintals of rice to the BSFC. The petitioner misappropriated 1714.35 quintals of rice worth Rs. 37,12,527.79. Learned counsel for the petitioner submits that the petitioner has given bank guarantee of rupees eighty nine lakhs to the BSFC which has not been forfeited. The petitioner is ready to deposit 20% of the aforesaid amount of Rs. 37,12,527.79 within four months from the date of this order.

Learned counsel for the BSFC as well as learned Spl.P.P. did not object if the petitioner deposits 20% of the aforesaid amount of Rs. 37,12,527.79 within four months from today.

Considering the facts aforesaid, the above named petitioner, in the event of his arrest or surrender before the learned 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, Rohtas at Sasaram in Nasriganj (Rajpur) P.S. Case No. 55/2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with a further condition that the petitioner shall deposit 20% of the remaining amount of Rs. 37,12,527.79 lying due against him within four months from today in the account of the BSFC. In the event, the petitioner fails to deposit 20% of the remaining amount of Rs. 37,12,527.79 within the specified time, the learned court below shall cancel the bail bonds of the petitioner.

(Prabhat Kumar Jha, J)

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