

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25673 of 2015

Arising Out of PS.Case No. -187 Year- 2013 Thana -NOKHA District- SASARAM (ROHTAS)

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Anil Kumar Singh, son of Sri Wakil Singh, resident of Village- Parwa, P.S.-
Nokha, District- Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan Singh

For the Opposite Party/s : Mr. Smt.Asha Devi (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 11-08-2015 Heard learned counsel for the petitioner,

Corporation and learned counsel for the State.

The petitioner apprehends his arrest in connection with Nokha P.S. Case No. 187 of 2013 registered for the offences punishable under Sections 406, 420 and 120B of the Indian Penal Code.

Learned counsel for the petitioner submits that the present case against the petitioner has been lodged on account of agreement being entered by the Corporation that petitioner was to be provided 5000 quintal of paddy and in lieu thereof, he had to supply 3350 quintal rice. However, the petitioner did not receive 5000 quintals of paddy but received only 500 quintals against which the petitioner supplied 270 quintals of milled rice in the godown of FCI. Therefore, the question of defalcation of Rs. 6304160.40/- does not arise at all. Furthermore, learned counsel for the petitioner submits that in

pursuance of the agreement, the petitioner also made necessary security deposit, which has since been forfeited. It is further submitted that there is no PDR agreement between the parties and the proceedings which was initiated under the PDR Act has been quashed by this Court Vide Annexure -5.

Considering the aforesaid submissions and also the fact that the informant's case was seriously disputed by the petitioner which can well be settled by the parties in the civil proceeding, 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 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 Chief Judicial Magistrate, Rohtas, Sasaram in connection with Nokha P.S. Case No. 187 of 2013, subject to the conditions as laid down under Section 438 (2) of the Cr. P.C.

(Anjana Mishra, J)

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