

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26295 of 2015

Arising Out of PS.Case No. -123 Year- 2015 Thana -KUDRA District- BHABHUA (KAIMUR)

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Raj Mohan Pathak, Son of Late Awadh Bihari Pathak, resident of village -
Pachpokhari, P.S. Kudra, District - Kaimur (Bhabhua)

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ashutosh Ranjan Pandey, Advocate.

For the Opposite Party : Mr. Ram Anurag Singh(App)

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

6 30-10-2015 Heard both sides.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 409 and 420 of the
Indian Penal Code.

The petitioner is said to have received 7113.00 quintals
of paddy and he had to deliver 4765.71 quintals of rice, but the
petitioner did not deliver 2068.95 quintals of rice.

It is submitted that the petitioner deposited 3780.00
quintals of rice and only 985.71 quintals of rice is lying due
against the petitioner. The petitioner also deposited Rs. 8 lakhs
and about Rs. 11 lakhs is lying due against the petitioner. The
petitioner is ready to deposit 25 percent of the aforesaid amount
within four months.

Learned counsel for the B.S.F.C. has, however, opposed the prayer for bail and submitted that the proceeding is initiated for realization of the remaining amount.

Considering the facts aforesaid, the petitioner above named, in the event of his arrest or surrender before the 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, Kaimur (Bhabhua) in Kudra P.S. Case No. 123 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and if the petitioner fails to deposit 25 percent of Rs. 11 lakhs within four months from the date of this order the court below shall cancel the bail bond of the petitioner.

(Prabhat Kumar Jha, J.)

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