

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33169 of 2015

Arising Out of PS.Case No. -37 Year- 2015 Thana -GWALPARA District- MADHEPURA

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Krishna Kumar Singh @ Krishn Kumar Singh, son of Late Raghupati Singh, Proprietor of Nilu Rice Mill, resident of Village-Bara, Police Station Gwalpara, District-Madhepura

.... Petitioner/s

Versus

1. The State of Bihar
2. The Bihar State Food & Civil Supplies Corporation through its Managing Director, Patna

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Sanjeev Kumar Singh, Advocate.
For the State : Mr. Rajiv Nayan(APP)
For the BSFC : Mr. Shailendra Kumar Singh, Advocate

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 24-08-2015 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 Gwalpara P.S. Case No.37 of 2015 for allegedly having committed the offence under Sections 406 and 420 of the Indian Penal Code.

Learned counsel for the petitioner submits that the allegation against the petitioner is of misappropriation of a sum of Rs.2,06,17,496/-, out of which the petitioner after the lodging of the F.I.R. has deposited Rs.7,00,000/- and a Bank guarantee of Rs.10,00,000/- also stands in favour of BSFC. Learned counsel for the petitioner further submits that the petitioner is

willing and ready to pay 20% of the amount as alleged in the F.I.R. However, he prays that the amount already deposited and forfeited by the BSFC may be deducted from 20% so calculated. Learned counsel for the BSFC has no objection to the same.

Considering the aforementioned facts and circumstances, 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, Madhepura, in connection with Gwalpara P.S. Case No.37 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

It is made clear that the aforesaid order extending the privilege of anticipatory bail is subject to the condition that the petitioner deposits the said 20% after making necessary deduction within a period of ten months.

(Anjana Mishra, J)

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