

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40676 of 2015

Arising Out of PS.Case No. -53 Year- 2015 Thana -NASRIGANJ District- SASARAM (ROHTAS)

Nagendra Kumar Singh Son of Late Brij Bihari Singh Proprietor of M/s
Abhishek Mini Rice Mill, At village - Babhandih, P.S. - Nasariganj, District
- Rohtas(Sasaram).

.... Petitioner

Versus

1. The State of Bihar.
2. The District Manager, Bihar State Food and Civil Supplies Corporation,
Rohtas at Sasaram, Bihar at Patna.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumeet Kumar Singh, Adv.
For the BSFC Advocate : Mr. Awadhesh Kumar, Adv.
For the State : Mr. Parmanand Kumar (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 05-10-2015 Heard both sides.

The petitioner apprehends his arrest in Nasariganj P.S.
Case No. 53/2015, registered for the offences punishable under
Sections 419, 406 and 420 of the Indian Penal Code.

The petitioner lifted 5000 quintals of paddy and he had
to deliver 3350 quintals of rice but the petitioner delivered 2160
quintals of rice. He did not deliver 1190 quintals of rice, the
amount of which comes to Rs. 2264724.70/-. The petitioner is
ready to deposit 15% of the aforesaid amount within six months
from the date of receipt of this order.

Learned counsel for BSFC submitted that the petitioner

misappropriated this amount.

It appears that a certificate case is going on, but the learned Single Bench of this court quashed the proceeding of the certificate case. The dispute is with regard to breach of agreement between the miller and BSFC.

Considering the facts aforesaid and the fact that the petitioner is ready to deposit 15% of the aforesaid amount (Rs. 2264724.70/-) within six months, 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 anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate 1st Class, Bikramganj, Rohtas in connection with Nasariganj P.S. Case No. 53/2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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