

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40659 of 2015

Arising Out of PS.Case No. -64 Year- 2015 Thana -SHIVSAGAR District- SASARAM (ROHTAS)

=====

Birendra Singh @ Virendra Singh S/o Late Baban Singh Proprietor of M/s
Supriya Mini Rice Mill, Simri, r/o Village - Simri, P.S. Sheosagar, District -
Rohtas.

.... 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	:	Ms. Jhotsna Kumari, Adv.
For the State	:	Mr. Binod Kumar No.3 (App)

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 05-10-2015 Heard both sides.

The petitioner apprehends his arrest in Sheosagar P.S.

Case No. 64/2015, registered for the offences punishable under

Sections 409 and 420 of the Indian Penal Code.

The petitioner lifted 4716 quintals of paddy and he had

to deliver 3159.72 quintals of rice but the petitioner delivered

1867.80 quintals of rice. He did not deliver 1291.92 quintals of

rice, the amount of which comes to Rs. 2458691.71/-. 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 certificate case. Against the said order, L.P.A. is pending. 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. 2458691.71/-) 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 Sri Avinash Kumar, Judicial Magistrate 1st Class, Rohtas (Sasaram) in connection with Sheosagar P.S. Case No. 64/2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

Rakhi/-

U		T	
---	--	---	--