

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.55907 of 2015

Arising Out of PS.Case No. -48 Year- 2015 Thana -KURTHA District- JEHANABAD

Ashok Rajak @ Ashok Kumar Rajak (The then Block Statistics Supervisor,
Kurtha), son of Late Pranu Rajak, Resident of village- Kako, P.s.- Kako,
District- Jehanabad

.... Petitioner/s

Versus

1. The State of Bihar
2. Bihar State Food and Civil Supplies Corporation Ltd., Jehanabad

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anita Kumari Singh

For the Opposite Party/s : Mr. Md.Sufiyan (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 09-12-2015

Heard learned counsels for the petitioner
and the State.

The petitioner being the Block Statistics
Supervisor –cum- Incharge Purchase Centre is apprehending his
arrest in a case registered for the offences punishable under
Sections 406, 409, 420 of the Indian Penal Code and 7 of the
Essential Commodities Act.

The prosecution case is that the petitioner
purchased 16486.07 quintals of paddy, out of which he supplied

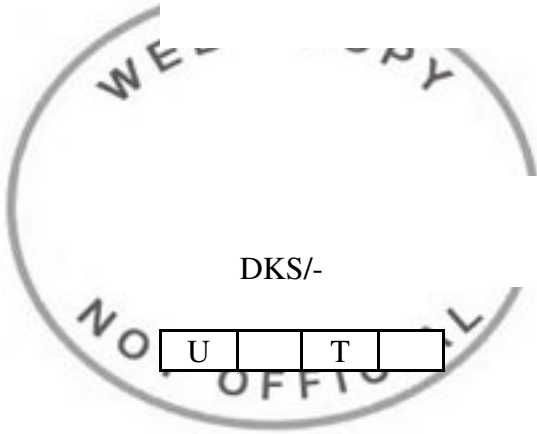
16215.00 quintals to the FCI but failed to supply 271.07 quintals and thereby misappropriated the amount of Rs.3,05,762/-. The petitioner also purchased 4734.00 quintals of wheat, out of which he supplied 225.46 quintals and failed to supply 1426.04 quintals worth of Rs.3,21,515/-. The petitioner has deposited Rs.1,70,000/- but he has failed to deposit Rs.4,57,277/-.

Counsel for the petitioner submits that the petitioner is ready to deposit the alleged amount of Rs.4,57,277/- within a period of four months.

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for five months in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Arwal in connection with Kurtha P.S. Case No. 48 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The provisional bail of the petitioner will be confirmed by the learned court below on deposit of the alleged amount of Rs.4,57,277/- through bank draft within four months

in four monthly equal installments in favour of The Bihar State
Food and Civil Supplies Corporation Ltd., Patna.



(Dinesh Kumar Singh, J)