

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28873 of 2015

Arising Out of PS.Case No. -103 Year- 2015 Thana -GORAUL District- VAISHALI(HAJIPUR)

Nagendra Kumar son of Late Ram Padarath Choudhary, resident of village-
Nimachak, Haider,P.S. Chak Mehshi, Samastipur.

.... Petitioner/s

Versus

1.State of Bihar

2.The Bihar State Food and Civil Supplies Corpn.Ltd.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Patanjali Rishi

For the State : Mr.A.N.Rai

For the Opposite Party No.2 : Mr. Dinesh Singh (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-07-2015

The petitioner apprehends his arrest in Goraul P.S.

Case No.103 of 2015 for the offences under Sections 465, 466,
467, 468, 420, 409, 120(B) of the I.P.C. and Section 7 of the
E.C.Act.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State assisted by the
O.P.No.2.

The prosecution case, in brief, is that the petitioner
being Centre Incharge for Goraul purchased 7363.10 quintals
paddy from farmers out of which he could make only 7206.25
quintals paddy available to Rice Mills and 156.85 quintals worth
Rs.2,04,595.14 of paddy was kept with him. As such, the
petitioner is said to have defalcated the said amount.

It has been submitted on behalf of the petitioner that

he has been made accused due to mistake of fact as to when no irregularity has been committed on the part of the petitioner. The petitioner is ready to deposit Rs.25000/- in the court below which shall be subject to the final disposal of the case.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, petitioner is directed to deposit Rs.25000/- in the court below which shall be subject to the final disposal of the case and on his doing so, let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of S.D.J.M., Vaishali at Hajipur, in G.R. Case No.1658 of 2015 arising out of Goraul P.S. Case No.103 of 2015 subject to the conditions as laid down under Section 438(2) of Cr.P.C.

(Sudhir Singh, J)

AnilKrSinha/-

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