

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20893 of 2015

Arising Out of PS.Case No. -110 Year- 2015 Thana -MOHANIA District- BHABHUA (KAIMUR)

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Ashok Kumar Rai. Son of Sri Kuwar Singh. Resident of village - Garkhar,
P.S.- Mohania, District - Kaimur (Bhabhua).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sumeet Kumar Singh

For the Opposite Party : Mr. Ajay Kumar-Ii(App)

For the B.S.F.C. : Mr. Shailendra Kumar Singh, Advocate.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 10-07-2015 Heard both sides.

The petitioner apprehends his arrest in Mohania P.S.
Case No. 110 of 2015, registered for the offences punishable
under Sections 409 and 420 of the Indian Penal Code.

The petitioner lifted 8000.00 quintals of paddy for
milling and he has to deposit 5360.20 quintals of CMR of rice till
31.12.2014. The petitioner did not deliver any amount of rice to
the B.S.F.C. or F.C.I. and thereby petitioner misappropriated Rs.
1,32,85,081.60/-.

Learned counsel for the petitioner submits that the
petitioner is ready to deposit 20 per cent of the total amount within
five months in the account of B.S.F.C., Patna and for the rest
amount the B.S.F.C. shall realize in accordance with law under the

proceeding filed in PDRA by the B.S.F.C.

Mr. Shailendra Kumar Singh, the learned counsel for B.S.F.C. has agreed to this order.

Considering the facts aforesaid, the petitioner shall deposit 20 per cent of the entire amount within five months from the date of receipt of this order and for the rest amount the petitioner and the authority of the B.S.F.C. shall resolve the disputes through proper means within six months thereafter, but 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 bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kaimur at Bhabhua in Mohania P.S. Case No. 110 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. It is further directed that if the petitioner fails to deposit 20 per cent of the total amount within five months from the date of this order, the learned court below shall cancel the bail bonds of the petitioner.

(Prabhat Kumar Jha, J.)

KKSINHA/-

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