

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40740 of 2015

Arising Out of PS.Case No. -51 Year- 2015 Thana -NASRIGANJ District- SASARAM (ROHTAS)

Sanjeev Kumar Rai son of Awadh Bihari Rai Proprietor of M/s Sri Ram Mini Rice Mill resident of village + P.O. - Taraon P.S. - Nasariganj, District - Rohtas (Sasaram).

.... Petitioner

Versus

1. The State of Bihar.
2. The District Manager, Bihar State Food Corporation, District - Rohtas at Sasaram.

.... Opposite Parties

Appearance :

For the Petitioner : Mr. Sumeet Kumar Singh, Advocate.
For the Opposite Parties : Mr. Parmanand Kumar (App)
For the B.S.F.C. : Mr. Shailendra Kumar Singh, Advocate.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 06-10-2015 Heard both sides.

The petitioners apprehend their arrest in registered for the offences punishable under Sections 406 and 420 of the Indian Penal Code.

The petitioner is said to have lifted paddy but had delivered only 108.47 quintals of rice. The petitioner is alleged to have misappropriated approximately 926.68 quintals of C.M.R. the price of which comes to Rs. 17,63,592.50/-.

It is submitted that the amount of delivery of price is disputed, but without going into the details and keeping the right reserved for disputing the amount of delivery and receipt, the petitioner is ready to deposit 20 percent of the aforesaid amount within six

months.

Shri Shailendra Kumar Singh, learned counsel for the B.S.F.C., however, opposed the prayer for anticipatory bail of the petitioner.

Considering the facts aforesaid and the fact that the petitioner undertakes to deposit 20 percent of Rs. 17,63,592.50/- within six months from the date of this order, 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 Sub-Divisional Judicial Magistrate, Bikramganj, Rohtas at Sasaram in Nasariganj P.S. Case No. 51 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 six months from the date of this order, the learned court below shall cancel the bail bonds of the petitioner.

(Prabhat Kumar Jha, J.)

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