

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.47727 of 2015

Arising Out of PS.Case No. -126 Year- 2015 Thana -DINARA District- SASARAM (ROHTAS)

Ajay Kumar Singh S/o Ram Nagina Singh, resident of Village - Gunsej,
P.S. - Dinara, District - Rohtas.

..... Petitioner

Versus

1. The State of Bihar.

2. Dinesh Prasad Singh, D.M., State Food Corporation, Rohtas.

.... Opposite Parties

Appearance :

For the Petitioner/s : Mr. Rakesh Singh, Advocate

For the Opposite Party/s : Mr. Anant Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH
ORAL ORDER

2 09-11-2015

This is an application for grant of regular bail in favour of the petitioner who is an accused in connection with Dinara PS Case No. 126 of 2015 for the alleged offences punishable under Sections 406, 420 and 409 of the Indian Penal Code.

The petitioner is the owner of M/s Laxmi Narayan Mini Rice Mill, Gunsej. Under an agreement entered into between him and the Bihar State Food & Civil Supplies Corporation Limited, paddy was supplied to him and in turn he was required to deliver Custom Milled Rice (CMR), to the Corporation. He is said to have misappropriated 998.15 quintals of paddy amounting to the tune of Rs.21,61,553.71p.

Learned counsel for the petitioner has submitted

that it is purely a civil dispute between the petitioner and the Corporation. He further submits that he has given bank guarantee to the tune of Rs.38,92,289/- to the Corporation in terms of the agreement and has drawn my attention to paragraph 2 of the said agreement.

Considering the nature of the dispute and the fact that the petitioner has remained in custody since 26.8.2015, this application is allowed.

Let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Rajeev Kumar, Judicial Magistrate 1st Class, Bikramganj, District Rohtas, in Dinara PS Case No.126 of 2015.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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