

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28869 of 2015

Arising Out of PS.Case No. -156 Year- 2015 Thana -SUPAUL District- SUPAUL

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1. Randhir Kumar Son of Late Basudeo Panjiyar resident of Village -
Batbanna, P.S. - Raniganj, District - Araria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The District Manager, Bihar State Food Corporation, Supaul.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand
For the Opposite Party/s : Mr. A.M.P.Mehta(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-07-2015 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case
instituted under Sections 406, 409, 420 and 120(B) of the Indian
Penal Code.

The prosecution story, in brief, is that the petitioner
being the owner of rice mill has received paddy of 4209.419 MT
from the Bihar State Food and Civil Supplies Corporation Limited
under an agreement to deposit 2820.311 MT of C.M.R. but the
petitioner has deposited only 1026.00 MT of C.M.R. and rest has
not been deposited and Rs. 4,44,73,074.72 has been embezzled for
personal benefit.

It has been submitted on behalf of the petitioner
that as per allegation the outstanding dues against the petitioner is
of Rs. 4,44,,73,074.72. It is further submitted that the petitioner is

ready to deposit 20% of the said amount within a period of one year (twelve months).

On behalf of the State, it has been submitted that the petitioner is named in the FIR and there is direct allegation against him.

Considering the aforesaid facts, the above named petitioner is directed to deposit 20% of Rs. 4,44,73,074.72/- before the State Food Corporation within a period of one year (twelve months) through bank draft.

In the meanwhile, in the event of his arrest or surrender in the court below within a period of four weeks, the petitioner shall be released on provisional anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M.,Supaul, in Supaul P.S.Case No. 156/2015, subject to the conditions as laid down u/s 438(2) Cr.P.C. The provisional anticipatory bail granted to the petitioner shall be confirmed by the court below, if the petitioner produces certificate showing that 20% of the outstanding dues has been deposited by him before the State Food Corporation within a period of one year (twelve months) through bank draft.

(Sudhir Singh, J)

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