

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10570 of 2016

Arising Out of PS.Case No. -241 Year- 2015 Thana -BAHADURPUR District- DARBHANGA

Satyendra Kumar Das son of Late Sri Narayan Das, resident of village-
Kharowa, Police Station-Jhanjharpur, District-Madhubani.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Prabhas Ranjan, Advocate

For the Opposite Party : Mr. Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-04-2016 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner is apprehending his arrest in
Bahadurpur P.S. Case No. 241 of 2015 registered under
sections 420 and 409/34 of the Indian Penal Code.

Prosecution case, in short, is that one Arbind
Kumar, The District Manager, State Food and Civil Supplies
Corporation, Darbhanga, submitted written report before the
Officer-in-Charge, Bahadurpur, Darbhanga stating inter-alia
therein that in the year 2011-12 for purchasing paddy,
petitioner and one Shyama Nand Jha (Block Cooperative
Officer, Bahadurpur) were made in-charge. They purchased
38047.56 quintals of paddy and out of it 37687.59 quintals of
paddy were supplied to different mills and base godown. But
the rest 359.91 quintals of paddy amounting to Rs.498475.00
have been misappropriated by them. It was also stated that

certificate case has also been filed and Additional Director, Darbhanga has directed them to deposit the misappropriated amount.

It has been submitted on behalf of the petitioner that as per the allegation the outstanding dues against the petitioner is of Rs.4,98,475/-. It is further submitted that petitioner is ready to deposit 20% of the said amount within a period of three months.

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

Considering the aforesaid facts and circumstances, petitioner is directed to deposit 20% of Rs. 4,98,475/- before the State Food Corporation within a period of three months through bank draft.

In the meantime, the above named petitioner in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order is directed to be enlarged on provisional anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, Darbhanga in connection with Bahadurpur P.S. Case No. 241 of 2015/G.R.No.2537 of 2015, subject to the conditions laid down under section 438(2) Cr.P.C. The provisional bail granted to the

petitioner shall be confirmed by the court below, if the petitioner produces certificate showing that the 20% of the outstanding dues has been deposited by him before the State Food Corporation within a period of three months through bank draft.

(Sudhir Singh, J)

B.Kr./-

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