

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15493 of 2016

Arising Out of PS.Case No. -73 Year- 2015 Thana -ROSERA District- SAMASTIPUR

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Shyam Sundar Mishra Son of Kulanand Mishra, Resident of Village -
Sokhara, P.S. - Phulwariya, District - Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bihar State Food Corporation Limited, through District Manager,
Samastipur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate

For the Opposite Party/s : Mr. Nityanand Tiwari (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-05-2016 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Sections 409, 419 and 420 of the Indian Penal Code.

Allegation against the petitioner is that he has misappropriated public money.

It is submitted on behalf of the petitioner that he has got no criminal antecedent. He has been made accused due to mistake of fact. There is no substantive evidence to implicate the petitioner in the present case. It is further submitted that he is ready to deposit an amount of Rs. 1,00,000/- within a period of seven weeks in favour of Bihar State Food Corporation, Samastipur. On deposit of the said amount the Corporation shall issue a certificate.

On behalf of the State and the opposite party, it is submitted that petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that petitioner shall deposit an amount of Rs.1,00,000/- within a period of seven weeks in favour of Bihar State Food Corporation, Samastipur.

On production of the certificate issued by the Corporation the court below shall grant bail to the above named petitioner, in the event of arrest or surrender in the court below within a period of eight weeks, on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate, Rosera, Samastipur, in connection with Rosera P.S. Case no. 73 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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