

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21149 of 2016

Arising Out of PS.Case No. -51 Year- 2016 Thana -OBRA District- AURANGABAD

Sushma Gupta wife of Santosh Kumar, Proprietor of M/s Swastik Rice Mill,
Resident of village, P.O. + P.S.- Obara, District- Aurangabad

.... Petitioner/s

Versus

1. The State of Bihar
2. The Bihar Staet Food and Civil Supplies Corporation, through its M.D.,
Bihar at Patna

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumeet Kumar Singh
For the BSFC : Mr. Mayank Shekhar, Adv.
For the Opposite Party/s : Mr. B.N.Pandey (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 21-07-2016 Heard both sides.

The petitioner apprehends her arrest in Obara P.S. Case No. 51/2016, registered for the offences punishable under Sections 409, 420 of the Indian Penal Code.

The petitioner lifted 8308.94 quintals of paddy and she had to deliver 5567 of C.M.R., but the petitioner delivered only 2970 quintals of C.M.R. to B.S.F.C. 2957 quintals of C.M.R. remained lying against the petitioner.

Learned counsel for the petitioner submits that petitioner is ready to deposit 20% of the aforesaid amount i.e., Rs. 56,23,938/- within three months from the date of this order and the B.S.F.C. be at liberty to realize the remaining amount in

accordance with law.

Mr. Mayank Shekhar Learned counsel appearing on behalf of the B.S.F.C. has submitted that B.S.F.C. has already filed a Certificate Case for realization of the entire amount and he has no objection, if the petitioner deposit 20% of Rs. 56,23,938/- within three months, the petitioner may be granted anticipatory bail.

Considering the facts aforesaid, the petitioner, in the event of her 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 Sub-divisional Judicial Magistrate, Daudnagar, Aurangabad in connection with Obra P.S. Case No. 51/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

If the petitioner fails to deposit 20% of Rs. 56,23,938/- within three months, learned court below shall cancel bail bond of the petitioner.

(Prabhat Kumar Jha, J.)

Vinita/-

U		T	
---	--	---	--