

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25079 of 2016

Arising Out of PS.Case No. -75 Year- 2016 Thana -MANSI District- KHAGARIA

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Pankaj Sharma, S/o Ramanuj Sharma, at present Resident of Village- Bihat, P.S.-Bihar, District- Begusarai & permanent Address- Resident of Village+P.O.-Ramchandrapur, P.S.-Pipariya, District-Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Bihar State Food & Civil Corporation through the District Manager, Khagaria

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Adv.
For the BSFC : Mr. Mayank Shekhar, Adv.
For the Opposite Party/s : Mr. Ganesh Prasad Singh (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 18-08-2016 Heard both sides.

The petitioner apprehends his arrest in Manshi P.S. Case No. 75/2016, registered for the offences punishable under Sections 420, 406 of the Indian Penal Code.

The District Manager, B.S.F.C, Khagaria lodged this case on the basis of the report of D.C.L.R., Khagaria, as contained in letter vide annexure-1 that during the course of inspection D.C.L.R. found 200 bags of rice stacked in the premises of M/s Bhagwati Industries Rice Mill, Mansi.

Learned counsel for the petitioner submits that rice belongs to the petitioner who is the owner of rice mill and he

stacked the rice after milling paddy. He has not taken any paddy. No rice of B.S.F.C. is lying due against him. In para 5 of the case diary, the informant made statement that he had taken 7099 quintals of paddy and almost entire C.M.R. has already been delivered to the B.S.F.C.

It appears that no rice of B.S.F.C. is lying due against the petitioner. Learned counsel for the B.S.F.C. did not dispute this fact.

Considering the facts aforesaid, the petitioner above-named, in the event of his 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 Chief Judicial Magistrate, Khagaria in connection with Manshi P.S. Case No. 75/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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