

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24613 of 2016

Arising Out of PS.Case No. -147 Year- 2016 Thana -ARARIA District- ARRARIA

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1. Ajit Singh Son of Late Ram Charitar Singh, resident of Village Karandighi, P.S. Karandighi, District Uttar Dinajpur, (West Bengal), Proprietor Of Baba Bishwakarma, Rice Mill, Karangighi, Uttar Dinajpur, (West Bengal).

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Bihar State Food Corporation, through its District Manager, Araria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha
For the Opposite Party/s : Mr. Ajay Kr. Jha (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 13-06-2016 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with Araria Police Station Case No. 147 of 2016 registered for the offences punishable under Sections 406, 409, 420 of the Indian Penal Code.

Petitioner is rice mill owner and took paddy for preparation of C.M.R. rice but returned rice only to the tune of Rs.1,15,85,401/-

Submission on behalf of the petitioner is that the concerned department has already filed certificate case bearing certificate case no. 06 of 2014-15 and, as a matter of fact, there is some dispute between the parties regarding the amount of

payment. Moreover, petitioner is ready to deposit 20% amount of the disputed amount.

In view of the aforesaid submission, let petitioner, in the event of his arrest/surrender within four weeks from the date of receipt of this order to the court concerned, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Araria in Araria Police Station Case no. 147 of 2016, subject to condition as laid down under Section 438(2) of the Cr.P.C and further subject to the condition that the petitioner shall deposit 20% of dues amount before the concerned department within two months from the date of his release and shall produce the receipt thereof before the court below, failing which the court below shall be at liberty to cancel the bail bonds of the petitioner. It is also made clear that if petitioner goes to concerned department with a proposal of deposit of 20% amount of the aforesaid dues, the concerned department shall accept the aforesaid amount and issue receipt thereof in favour of the petitioner without any delay.

(Hemant Kumar Srivastava, J)

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