

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.33088 of 2016

Arising Out of PS.Case No. -130 Year- 2016 Thana -DUMRA District- SITAMARHI

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1. Smt. Kanchan Kumari Wife of Jayant Kumar @ Pappu resident of village - Rasalpur, P.S. Dumra District Sitamarhi Proprietor of M/s Rasalpur PACS Rice Mill Dumra, Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar
2. The District Manager, State Food Corporation, Sitamarhi, District - Sitamarhi

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate
Mr. Birendra Kumar

For the BSFC : Mr. Aditya Prakash Sahay

For the Opposite Party/s : Mr. Dr. Ajeet Kumar

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 16-09-2016 Heard learned counsel for the petitioner and learned counsel appearing on behalf of Bihar State Food and Civil Supplies Corporation as well as learned Additional Public Prosecutor for the State.

The petitioner apprehends her arrest in connection with a case registered for the offences punishable under Sections 406/409/420 of the Indian Penal Code.

Learned counsel for the petitioner submits that as on date, a total amount of Rs. 22,49,583.02 remains to be paid back to the Bihar State Food and Civil Supplies Corporation. It is submitted that the petitioner is willing to pay 20% of the aforesaid amount, subject to the result of the present application.

Considering the nature of allegations and also the bonafide

offer made by the petitioner, let the petitioner abovenamed, in the event of her arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged 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 learned Chief Judicial Magistrate, Sitamarhi, in connection with Dumra P.S. Case No. 130/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

It is made clear that the present order is a conditional order and the bail bonds of the petitioner will be accepted only after she appears in the Court below along with the payment receipt within a period of six weeks from today. The petitioner shall be required to deposit the 20% of the total amount in three equal installments and on presenting herself along with the receipt of the first installment, she can be extended the privilege of anticipatory bail. The rest two installments shall be paid by the petitioner in the following two months. In case, there is default on her part in payment of the next two installments, it shall be open to the Bihar State Food and Civil Supplies Corporation to take appropriate recourse in accordance with law.

(Anjana Mishra, J)

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