

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31175 of 2016

Arising Out of PS.Case No. -149 Year- 2016 Thana -DURGAWATI District- BHABHUA
(KAIMUR)

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1. Shideshwar Dayal Pandey son of Bishnu Shankar Pandey Proprietor of
M/S Satyam Agro Food Products Sarangpur, resident of Village -
Sarangpur, P.S. - Durgawati, District - Kaimur, Bhabhua.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Bihar State Food and Civil Supplies Corporation, through its District
Manager, Kaimur (Bhabhua).

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Murlidhar, A.PP.

For the B.S.F.C. : Mr. Brajesh Kumar.

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**CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD
SINGH**
ORAL ORDER

3 06-10-2016

Heard learned counsel for the petitioner, learned
counsel for the B.S.F.C. and learned A.P.P. for the State.

The petitioner is the proprietor of a rice mill who
apprehends arrest in relation to a case registered for the offence
punishable under sections 409 and 420 of the Indian Penal Code.

The allegation is that out of total paddy given to
the petitioner for milling and returning the rice, he has defalcated
about 13000 metric tonnes of rice. Taking into account some
payments made, there is balance outstanding of over Rs.2.20
crores.

Be that as it may, on the petitioner depositing a sum of

rupees ten lacs with the Bihar State Food and Civil Supplies Corporation hereinafter and producing proof thereof before the trial court and in the event of arrest or surrender in the court below within four weeks from the date of receipt/production of a copy of this order, shall be enlarged on provisional bail for a period of four months within which the petitioner would further deposit a sum of rupees thirty lacs, on furnishing bail bond of Rs.50,000/- (Rupees fifty thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kaimur at Bhabua in connection with Durgawati P.S. Case No. 149 of 2016 subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure, 1973.

However, the provisional bail of the petitioner shall be confirmed on deposit of the aforementioned rupees thirty lacs within four months of the release of the petitioner, subject, however, to the condition that if within the said time period no payment, as indicated above, are made, then the trial court would be at liberty to cancel the provisional bail and take the petitioner into custody.

(Navaniti Prasad Singh, J)

Amin/-

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