

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36646 of 2016

Arising Out of PS.Case No. -203 Year- 2016 Thana -LAHERIASARAI District- DARBHANGA

=====

Brajdeo Rai @ Brajdeo Ray, Son of Late Basudeo Rai, Resident of Village-
Siswa, P.S.- Raxaul, District- East Champaran Prop. M/S Deva Rice Mill.

.... Petitioner

Versus

1. The State of Bihar.
2. Bihar State Food Corporation Ltd. through its District Managing
Darbhanga.

.... Opposite Parties

=====

Appearance :

For the Petitioner/s	:	Mr. Ansul
For the Opposite Party/s	:	Mr. Ram Sevak Choudhary
For the BSFC	:	Mr. Aditya Prakash Sahay

=====

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

2 28-09-2016 Heard learned counsel for the petitioner, learned counsel
appearing for BSFC and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Laheria Sarai P.S. Case no. 203 of 2016, registered under Section 406,
409 and 120 of the Indian Penal Code.

The accusation is that petitioner being the owner of the
M/s Deva Rice Mill uplifted the paddy to return 67% the rice but 67%
rice of received paddy was not returned. As such he caused loss to
BSFC worth of Rs. 13,95,790.04/-

Learned counsel for the petitioner submits that while the
petitioner after milling the paddy as supplied by the BSFC had sent the
rice to the godown of BSFC, but the same was not received due to

shortage of space in the godown. Learned counsel for the petitioner submits that moreover the petitioner is ready to deposit 30% within four months.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on provisional bail for a period of 04 months, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Darbhanga, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

The provisional bail of the petitioner will be confirmed by the learned Court below on submission of receipt of 30% of Rs. 13,95,790=04 deposited to the concerned department, within a period of four months either in installment or one time.

(Rajendra Kumar Mishra, J.)

manish/-

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