

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40529 of 2016

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

1. Mahendra Prasad Son of jai Mangal Prasad Resident of Village-
Lahumanwa Saunaha, P.S.-Palanwa (Raxaul), District-East Champaran
Prop. M/S vikash Rice Mill.

.... Petitioner/s

Versus

1. The State of Bihar
2. Bihar State Food Corporation Ltd. through its District Manager
darbhanga

.... Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 27-09-2016 Heard learned counsel for the petitioner, the
learned counsel appearing on behalf of the State as well as
learned counsel appearing on behalf of Bihar State Food
Corporation Limited.

This application for anticipatory bail arises out of
Laheria Sarai P.S. Case No. 203 of 2016, disclosing offences
under Sections 406,409 and 120 of the Indian Penal Code.

The petitioner is an accused of having
misappropriated paddy supplied to his Rice Mill for the
purpose of delivering C.M.R. to Bihar State Food & Civil
Supplies Corporation worth Rs. 26,99,939.64/-.

Learned counsel for the petitioner, taking a line of



least resistance, has submitted that petitioner is ready to deposit the said amount in the account of Bihar State Food & Civil Supplies Corporation in five monthly equal installments, beginning from second week of October, 2016. Rest amount shall be paid in subsequent four months and each of the installments shall be deposited in the first week of the respective months.

Learned counsel for the B.S.F.C. has submitted that if the said amount is deposited, the Corporation does not have any objection that if the petitioner is granted anticipatory bail.

Considering the above, this application is allowed. Let the petitioner above-named in the event of his arrest/surrender within eight weeks from today in the Court below be released 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 learned Chief Judicial Magistrate, Darbhanga in Laheria Sarai P.S. Case No. 203 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive

occasions, his bail bonds shall be liable to be cancelled.

It is indicated that any amount deposited by the petitioner in the light of the undertaking given in the present proceeding shall be without prejudiced to his rights and contentions, which may have in any appropriate proceeding.

(Chakradhari Sharan Singh, J)

ArunKumar/-c

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