

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.45922 of 2016**

Arising Out of PS.Case No. -14 Year- 2016 Thana -BANDIYA District- AURANGABAD

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Talkeshwar Yadav s/o Somar Singh, r/v – Pratappur, P.S. – Bandeya, Distt -  
Aurangabad

.... .... Petitioner/s

Versus

1. The State of Bihar
2. The Bihar State Food & Civil Supply Corporation Ltd., through District  
Manager, Aurangabad

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Bhaskar Shankar, Adv.

For the Opposite Party/s : Mr. Abhay Kumar – 1, APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR**  
**JHA**

**ORAL ORDER**

4      01-12-2016                      Heard both sides.

The petitioner apprehends his arrest in Bandeya P.S.  
Case No. 14/2016, registered for the offences punishable under  
Sections 406, 409 and 420 of the Indian Penal Code.

Petitioner is the Chairman of Jhikatiya Pacs falling in  
Goh block. The petitioner purchased 268.50 metric ton of paddy  
and he had to deliver 179.89 metric ton of C.M.R. by 31.07.2016,  
but the petitioner delivered only 122.27 metric ton of C.M.R. to  
the B.S.F.C. 57.62 metric ton of C.M.R. remained lying with the  
petitioner, the cost of which comes to Rs. 13,18,107.60.

Mr. Krishna Prasad Singh learned senior counsel for the  
petitioner submits that according to the calculation made by the  
petitioner only 47 metric ton of C.M.R. is lying due against the



petitioner and petitioner is ready to deposit the admitted amount by 31.01.2017.

Mr. Shailendra Kumar Singh learned counsel for the B.S.F.C. disputed the fact that only 47 metric ton of C.M.R. is lying due against the petitioner. According to the calculation made by the B.S.F.C. 57.62 metric ton of C.M.R. is lying due against the petitioner on which Mr. Krishna Prasad Singh learned senior counsel for the petitioner submits that it requires rendition of account and petitioner is ready to deposit the admitted amount by 31.01.2017, on such, Mr. Shailendra Kumar Singh learned counsel for the B.S.F.C. did not raise objection.

Considering the facts aforesaid and the fact that petitioner is ready to deposit by 31.01.2017 the entire admitted amount lying due against him, the petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Daudnagar, Aurangabad in connection with Bandeya P.S. Case No. 14/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.



If the petitioner fails to deposit the entire admitted amount by 31.01.2017, learned court is directed to cancel the bail bond of the petitioner on 01.02.2017.

**(Prabhat Kumar Jha, J.)**

Vinita/-

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