

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.57377 of 2015**

Arising Out of PS.Case No. -104 Year- 2015 Thana -BARURAJ District- MUZAFFARPUR

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Rahul Kumar S/o Sri Yogendra Kumar Resident of village - Manguraha  
Tajpur, P.S. Baruraj, District - Muzaffarpur

.... .... Petitioner

Versus

1. The State of Bihar  
2. Bihar State Food & Civil Supplies Corporation Ltd. Muzaffarpur

.... .... Opposite Parties

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**Appearance :**

For the Petitioner : Mr. Bindhyachal Rai, Advocate  
For the State : Mr. Ataur Rahman, APP

For the Opposite Party no. 2 : Mr. R.S. Pradhan, Sr. Advocate  
Mr. J.N. Kumar, Advocate

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**CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN**  
**ORAL ORDER**

2      20-01-2016      Heard learned counsel for the petitioner and the Bihar State  
Food and Civil Supplies Corporation Ltd.

Petitioner apprehends his arrest in a case registered for the  
offences punishable under sections 406/407/420 of the Indian  
Penal Code.

Allegation is that though the petitioner has lifted paddy but  
did not supply the custom milled rice to the Bihar State Food and  
Civil Supplies Corporation and balance quantity of custom rice to  
be supplied by the petitioner is 400 quintals value of which comes  
to Rs. 9,21,424.00.

Having regard to the facts and circumstances of the case, let

the abovenamed petitioner, namely, Rahul Kumar, be released on provisional anticipatory bail for six months in the event of arrest/surrender before the court below within a period of six weeks from today in Baruraj Police Station Case No. 104/15 (G.R. No. 2384/15) on furnishing bail bonds of Rs.10,000/- ( Ten Thousand Rupees) with two sureties of the like amount each to the satisfaction of Sri Sunil Kumar Singh, Judicial Magistrate, Ist Class, Muzaffarpur, subject to the conditions laid down under sub-section (2) of Section 438 of the Code of Criminal Procedure.

It is made clear that the provisional bail of the petitioner would be confirmed by the court below only on submission of bank draft of 20% of the due amount of Rs. 9,21,424.00 within a period of eight months.

The above deposit will be subject to any proceeding pending or initiated for recovery of due amount but the same would not be treated as an admission of the petitioner against the claim of the informant

**(Dr. Ravi Ranjan, J)**

SC/-

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