

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45147 of 2016

Arising Out of PS.Case No. -233 Year- 2016 Thana -KUDRA District- BHABHUA (KAIMUR)

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1. Manoj Kumar Singh, Son of Awadhesh Singh, Resident of Village-Kudra, P.S.- Kudra, District- Kaimur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Bihar State Food and Civil Supplies Corporation Ltd., Bihar (Patna).

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nand Singh

For the Opposite Party/s : Mr. Sri Satyadev Prasad Singh Yadav

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 22-12-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with

Kudra P.S. Case No. 233 of 2016 registered under Sections-409,

420 of the Indian Penal Code.

Petitioner happens to be rice mill owner and he

entered into an agreement with corporation but subsequently, he

failed to supply rice of Rs. 75,19,170/- and when the corporation

made inquiry, he deposited Rs. 30 lacs and it is alleged that still

the petitioner has not deposited Rs. 45,19,170/-

Submission on behalf of petitioner is that there is

dispute between the corporation and the petitioner on the point of

making payment and moreover, the corporation has already filed



certificate case for realization of the amount, in question. It is further submitted that the property worth more than two crores of the petitioner has been pledged with the corporation and if corporation gets success in certificate case, the corporation shall have every right to realize the amount, in question by putting the property of the petitioner on auction. It is further submitted on behalf of the petitioner that the petitioner without admitting the prosecution case, is ready to deposit 20% of disputed amount with corporation subject to final decision of the present case as well as certificate case.

Considering the above-said facts and circumstances of the case as well as submission of the parties, this anticipatory bail petition is allowed and it is ordered that the petitioner named above, in the event of his arrest or surrender in the court below within four weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Kudra P.S. Case No. 233 of 2016 to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabua subject to condition as laid down u/S 438(2) of the Cr.P.C. with further condition that the petitioner shall deposit 20% amount of Rs. 45,19,170/- within four months in four equal



installments. Any failure on the part of the petitioner shall give liberty to the concerned court to cancel the bail bonds of the petitioner.

(Hemant Kumar Srivastava, J)

A.K.V./-

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