

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43682 of 2016

Arising Out of PS.Case No. -103 Year- 2016 Thana -OBRA District- AURANGABAD

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Dharmenra Kumar, aged about 35 years, S/o Sarju Mahto, Village-
Jiyadipur, P.S. Obra, District Aurangabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Sri Mustaque Alam, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 21-10-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Obra P.S. Case No. 103 of 2016 registered under Sections
409 and 420 of the Indian Penal Code.

The accusation is that 844.87 quintals rice was to
be received against the paddy purchased at Sarsauli PAX in the
year 2015-16 of which the petitioner was Chairman but neither
rice nor paddy was found at Sarsauli PAX.

Learned counsel for the petitioner submits that the
price of rice of 844.87 quintals will be Rs. 26,00,000/- which was
to be received to Sarsauli PAX. The petitioner is ready to pay the
said amount in installments within six months.

Mr. Shailendra Kumar Singh, appearing on behalf

of the Bihar State Food Corporation, submits that the price of 844.87 quintals of paddy would come about Rs. 26,00,000/-.

Having regard to the facts and circumstances of the case and submission of learned counsel for the petitioner, let the above named petitioner be released on provisional bail for six months, in the event of arrest or surrender before the learned Court below within a period of six 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 the S.D.J.M., Aurangabad, in connection with Obra P.S. Case No. 103 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C. The petitioner will also file an undertaking that he will deposit Rs. 26,00,000/- within six months in installments. If the petitioner submits the receipt regarding depositing of Rs.26,00,000/- in favour of Bihar State Food and Civil Supplies Corporation Ltd. Patna, within six months, the provisional bail of the petitioner shall be confirmed by the court below, failing which the court shall cancel the bail bond of the petitioner.

Accordingly, the application is disposed of.

(Rajendra Kumar Mishra, J)

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