IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41204 of 2016

Arising Out of PS.Case No. -497 Year- 2016 Thana -BANKA District- BANKA

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Chandra Shekhar Kumar S/o late Bindeshwar Prasad Sah Resident of - Bansitikar Road, Tilkamanjhi, PS Industrial , District Bhagalpur.

.... Petitioner/s

Versus

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

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Praveen Kumar
For the Opposite Party/s : Mr. Umesh Lal Verma (APP)
For the BSFC : Mr. Shailendra Kumar Singh

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

4 18-11-2016 Heard learned counsel for the petitioner, learned counsel for the Bihar State Food & Civil Supply Corporation and learned counsel appearing on behalf of the State.

The petitioner apprehends his arrest in connection with Banka P.S. Case No. 497 of 2016 for the offences registered under Sections 406, 420, 467 and 468 of the Indian Penal Code.

Learned counsel for the petitioner submits that a first informant report has been instituted for a paltry sum of Rs.1,89,685/- only whereas the petitioner's milling charge with the said Food Corporation, Bhagalpur is Rs.2,07010/-. It is further submitted that he has no objection if the State Food Corporation deducts the aforementioned amount from the amount of Rs. 2,07010 as alleged, from his milling charges and the rest of his milling charges be paid to him. He further undertakes to provide the correct bills to the State

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Food Corporation within a fortnight from today.

Considering the bona fide offer made by the petitioner and in view of the fact that State Food Corporation has given the liberty to deduct the alleged defalcated amount from his milling charges, let 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, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Banka in connection with Banka P.S. Case No. 497 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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