

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19050 of 2016

Arising Out of PS.Case No. -268 Year- 2015 Thana -SARAIYA District- MUZAFFARPUR

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Kaushal Kishore Singh Son of Surendra Singh Resident of village - Rewa,
P.S. Saraiya, District - Muzaffarpur

.... Petitioner

Versus

1. The State of Bihar
2. The District Manager, BSFC, Muzaffarpur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K.Agrawal, Sr.Adv.
Mr. Dhananjaya Nath Tiwari, Adv.
For the Opposite Party/s : Md. A.Haque Sahara (App)
For BSFC : Mr. Prabhat Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 11-05-2016 Heard learned counsel for the petitioner and the learned

Addl. Public Prosecutor, appearing on behalf of the State.

This application for grant of anticipatory bail arises out
of Saraiya P.S.Case No. 268/2015, disclosing offences under
sections 420, 406 of the Indian Penal Code.

The petitioner is owner of a rice mill. It is alleged against
him that he misappropriated paddy worth Rs.20,97,000/-, which
was supplied to him for supplying back CMR.

Learned Senior counsel, appearing on behalf of the
petitioner, has submitted that out of the said amount of
Rs.20,97,000/-, the petitioner has already deposited a sum of
Rs.14,97,100/-. He submits that without prejudice to his rights and
contentions, the petitioner is ready to pay rest of the amount

alleged to have been defalcated within a period of three months from today. He submits that in such circumstance, there is no chance of the petitioner fleeing from the course of investigation or trial, if he is allowed privilege of anticipatory bail.

Considering the facts and circumstances and the stand taken on behalf of the petitioner, this application is allowed.

Let the petitioner, abovenamed, in the event of his arrest/ surrender before the court below within four months from today, be released on bail 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. (West), Muzaffarpur in Saraiya P.S.Case No. 268/2015, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

This is subject to the condition that the petitioner shall present himself before the police/ court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

During the period of three months from today, no coercive step shall be taken against the petitioner to arrest him.

(Chakradhari Sharan Singh, J)

Surendra/-

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