

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21141 of 2016

Arising Out of PS.Case No. -68 Year- 2016 Thana -MUFFASIL District- AURANGABAD

Lakshami Pratap Singh son of Sri Uday Pratap Singh, Resident of village
and P.O. Karma Bhagwan, P.s. Aurangabad (M), District- Aurangabad
(Bihar)

.... Petitioner/s

Versus

1. The State of Bihar
2. The Bihar State Food and Civil Supplies Corporation, Aurangabad,
District- Aurangabad

.... Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Leelawati Kumari, Adv.
For the BSFC : Ms. Aishwarya Riti, Adv.
For the Opposite Party/s : Mr. Nirmal Kr. Sinha(App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 21-07-2016 Heard both sides.

The petitioner apprehends his arrest in Muffasil P.S.
Case No. 68/2016, registered for the offences punishable under
Sections 406, 409, 420 of the Indian Penal Code.

The petitioner lifted 15471 quintals of paddy and he had
to deliver 10,365.62 of C.M.R., but the petitioner delivered only
6750 quintals of C.M.R. to B.S.F.C. 3615.02 quintals of C.M.R.
remained lying against the petitioner, the cost of which comes to
Rs. 78,29,850/-. The petitioner has already deposited Rs.

51,50,000/- and now only Rs. 26, 79,850/- lying due against him.

Learned counsel for the petitioner submits that petitioner is ready to deposit although he has already deposited 2/3rd amount and only 1/3rd is lying due against him. He is still ready to deposit 20% of the aforesaid amount i.e., Rs. 26,79,850/- within three months from the date of this order.

Ms. Aishwarya Riti Learned counsel appearing on behalf of the B.S.F.C. did not raise any objection and submitted that B.S.F.C. has got no objection, B.S.F.C. shall realize the remaining amount from the petitioner in accordance with law, if the petitioner is granted anticipatory bail on condition that he will deposit 20% of the aforesaid amount within three months.

Considering the facts aforesaid, the petitioner is directed to deposit 20% of Rs. 26,79,850/- within three months, the petitioner above-named, in the event of his arrest or surrender before the court below within a period of ten weeks from the date of receipt/production of a copy of this order, is directed to be enlarged 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 Chief Judicial Magistrate, Aurangabad in connection with Muffasil P.S. Case No. 68/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C. and

subject to the condition that if the petitioner fails to deposit 20% of 26,79,850/- within three months the learned court below shall cancel the bail bond of the petitioner.

(Prabhat Kumar Jha, J.)

Vinita/-

U		T	
---	--	---	--