

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30015 of 2016

Arising Out of PS.Case No. -145 Year- 2016 Thana -KUDRA District- BHABHUA (KAIMUR)

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1. Shree Ram Shah son of Late Ramnagina Shah resident of Village-
Lalapur, P.S.- Kudra, District- Kaimur (Bhabua).

.... Petitioner/s

Versus

1. The State of Bihar.
2. The District Manager, the Bihar State Food and Civil Supplies
Corporation Ltd., Kaimur (Bhabua).

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sumeet Kumar Singh

For the BSFC : Mr. Aditya Prakash Sahay

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 08-09-2016 Heard both sides.

The petitioner apprehends his arrest in Kudra P.S.
Case No. 145 of 2016, registered for the offences punishable
under Sections 409 and 420 of the Indian Penal Code.

The Manager BSFC, Kaimur at Bhabhua alleged that
the petitioner was given 9512 quintals of paddy and he had to
deliver 6373.04 quintals of CMR, but the petitioner delivered only
540 quintals of CMR to the BSFC. The petitioner misappropriated
5833.04 quintals of CMR, the price of which come to Rs.
1,26,3,1798.10/-.

It is submitted that the petitioner has already deposited
Rs. 15,00000/- and now only Rs. 1,11,31,798/- is lying due. A

certificate case is also pending vide Annexure-3 for realization of aforesaid amount, but the petitioner is ready to deposit 20% amount within six months. The BSFC has already filed a certificate case for realization of entire amount.

Learned counsel for the BSFC did not dispute the fact.

Considering the facts aforesaid and the fact that the petitioner has undertaken to deposit 20% of Rs. 1,11,31,798/- in six monthly equal installments, 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, 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 learned Chief Judicial Magistrate, Kaimur at Bhabhua in connection with Kudra P.S. Case No. 145 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

If the petitioner fails to deposit any installment, the learned court below shall cancel the bail bond of the petitioner.

(Prabhat Kumar Jha, J.)

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