

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43639 of 2016

Arising Out of PS.Case No. -30 Year- 2016 Thana -TANDWA District- AURANGABAD

=====

Kailash Yadav, S/o late Mungeshwar Yadav, Resident of Village- Ghura
Nand, P.S. Tandwa, District Aurangabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Narendra Kumar Singh

=====

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 18-10-2016

Heard learned counsel for the petitioner, learned counsel
appearing for BSFC and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Tandwa P.S. Case no. 30 of 2016, registered under Sections 420, 406
and 409 of the Indian Penal Code.

The accusation is that petitioner being the President
Basdiha PAX purchased 1626 quintal of paddy and he had to supply
1089.42 quintal of rice to the State Food Corporation, Aurangabad, but
petitioner supplied only 540.02 quintal and remaining 540.40 quintal
worth of Rs. 12,55,928.40 has been misappropriated by the petitioner.

Learned counsel for the petitioner submits that, in fact,
due to non-supply of gunny bags total rice could not be supplied.
Moreover, the petitioner is ready to deposit Rs. 12,55,928.40 within
six months out of the said amount petitioner will deposit Rs.
3,00,000/- within four weeks.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on provisional bail for a period of 06 months, in the event of his arrest or surrender before the learned Court below within a period of four 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 Judicial Magistrate, 1st Class, Aurangabad in connection with Tandwa P.S. Case no. 30 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. on submitting the receipt of depositing Rs. 3,00,000/- to the concerned department.

The provisional bail of the petitioner will be confirmed by the learned Court below on submission of receipt of depositing remaining amount of Rs. 9,55,928.40/- to the concerned department, within a period of six months failing which the learned count below will cancel the bail bond of the petitioner.

(Rajendra Kumar Mishra, J)

manish/-

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