

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9835 of 2016

Arising Out of PS.Case No. -74 Year- 2015 Thana -BADHAILA District- SASARAM (ROHTAS)

Arbind Kumar Rai @ Arvind Kumar Rai @ Arbind Rai, Prop. M/s Maa Vaishno Devi Mine Rice Mill Naran, Son of Late Jitan Rai @ Late Ramkailash Singh, Resident of Village - Mednipur, P.O. - Mednipur, P.S. - Nasriganj, District - Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The District Manager, Bihar State Food and Civil Supplies Corporation, Rohtas at Sasaram, District - Rohtas (Sasaram).

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumeet Kumar Singh

For the Opposite Party/s : Mr. Atul Chandra(App)

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 29-04-2016 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Vaghaila P.S. Case No. 74 of 2015 registered under Section 409, 406 and 420 of the Indian Penal Code.

The accusation is that petitioner, being the owner of the Rice Mill, lifted 1900 quintals paddy for milling and he has to supply 1273 quintals of rice to State Food Corporation but only 268.70 quintals of rice was supplied by this petitioner. As such, the petitioner misappropriated rice worth of Rs. 21,74,871.91.

Learned counsel appearing on behalf of the

petitioner submits that at the time of agreement of milling the paddy in between petitioner and District Manager, Bihar State Food Corporation, the petitioner has already pledge the landed properties in favour of Bihar State Food Corporation, Rohtas, which would appear from Annexure-2 to the petition.

Learned counsel appearing on behalf of the Bihar State Food Corporation, Sri Shashi Kant while opposing the prayer of the petitioner, conceded that the landed properties worth Rs. 24,00,000/- has already been pledged by the petitioner at the time of agreement.

Having considered the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of 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 the A.C.J.M. Rohtas (Sasaram) in connection with Vaghaila P.S. Case No. 74 of 2015, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Rajendra Kumar Mishra, J)

Shail/-

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