

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31365 of 2016

Arising Out of PS.Case No. -65 Year- 2016 Thana -CHAND District- BHABHUA (KAIMUR)

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1. Anil Singh son of Vakil Singh Proprietir pf M/S Mahabir Mini Rice Mill,
Resident of Village- Barari, P.S- Chand District- Kaimur-Bhabhua.

.... Petitioner/s

Versus

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

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sumeet Kumar Singh
For the BSFC : Mr. Aditya Prakas Sahay
For the Opposite Party/s : Mr. Smt. Asha Devi

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 21-09-2016 Heard both sides.

The petitioner apprehends his arrest in Chand P.S.

Case No. 65 of 2016, registered for the offences punishable under

Sections 409 and 420 of the Indian Penal Code.

The petitioner is owner of M/s Mahabir Mini Rice

Mill. The BSFC gave 5600 quintals of paddy to the petitioner for

milling and the petitioner had to deliver 3752 quintals of CMR.

The petitioner handed over 1078 quintals of CMR to the BSFC.

The petitioner could not be able to deliver 2674 quintals of CMR

to the BSFC, the price of which comes to Rs. 57,90,707.44/-.

Learned counsel for the petitioner submits that the

petitioner has already pledged his property worth Rs. 77,00,000/- to the BSFC. The BSFC has also filed a certificate case for realization of the said amount, even though the petitioner is ready to give 20% of Rs. 57,90,707.44/- within the period of four months from the date of this order.

Learned counsel for the BSFC, however, opposed the prayer for anticipatory bail but at the same time admitted that the BSFC has filed a certificate case for realization of the amount and property of the petitioner is also pledged to the BSFC.

Considering the facts aforesaid, 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 Sri Birendra Kumar, Judicial Magistrate 1st Class, Kaimur at Bhabhua in connection with Chand P.S. Case No. 65 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further condition that the petitioner shall deposit 20% of Rs. 57,90,707.44/- within four months from the date of receipt of this order, if the petitioner fails to deposit 20% of the aforesaid amount in the account of the BSFC within four

months from the date of receipt of this order, learned court below shall cancel the bail bond of the petitioner.

(Prabhat Kumar Jha, J.)

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