

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36849 of 2016

Arising Out of PS.Case No. -195 Year- 2016 Thana -SUPAUL District- SUPAUL

Rakesh Kumar, S/o Bhola Prasad Yadav, Resident of Village- Budhaura,
P.S.- Alauli, District- Khagaria

.... Petitioner

Versus

1. The State of Bihar
2. The Bihar State Food Civil Supply Corporation, Supaul

.... Opposite Party

Appearance:

For the Petitioner : Mr. N.K. Agrawal (Sr. Adv.)
Mr. Binod Kumar, Advocate
For the Informant : Mr. Aishwarya Riti, Advocate
For the State : Ms. Gulnar Begum (APP)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

7 16-11-2016 Heard learned counsel for the petitioner and learned
counsel on behalf of State Food Corporation as well as learned
counsel appearing on behalf of the State.

The petitioner being the rice mill owner is
apprehending his arrest in connection with Supaul P.S. case No.
195 of 2016 registered for the offences punishable under Sections
406, 420 and 120B of the Indian Penal Code.

Learned senior counsel appearing on behalf of the
petitioner submits that though there is alleged defalcation of over
two crores, the petitioner is willing to deposit 20% of the
aforementioned alleged defalcated amount before the State Food
Corporation within a period of four months from today.

In case the petitioner so deposits, thereafter let 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, 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 learned Chief Judicial Magistrate, Supaul in connection with Supaul P.S. Case No. 195 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

It is made clear that the present order is only by way of interim measure and if the petitioner does not deposit the same within the aforementioned period, it shall be open to the State Food Corporation to move this Court for modification/cancellation of this order in accordance with law.

(Anjana Mishra, J.)

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