

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37459 of 2016

Arising Out of PS.Case No. -115 Year- 2016 Thana -PARSA District- SARAN

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Md. Yusuf Khan Son of Late Md. Ali, resident of village Nai Bazar
Chapra, Police Station Bhagwan Bazar, District Chapra at Saran

.... Petitioner

Versus

1. The State of Bihar
2. The District Manager Bihar State Food and Civil Supplies Corporation,
Chapra at Saran

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Amir Alam, Advocate
For B.S.F.C. : Mr. Shailendra Kumar Singh, Advocate
For the State : Mr. Rajendra Prasad Nat, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**
ORAL ORDER

3 17-11-2016 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with Parsa
P.S. Case No.115 of 2016 for the offences registered under
sections 406, 409, 420, 467, 468 and 120B of the Indian Penal
Code.

The accusation against the petitioner is that he embezzled
government money to the tune of Rs.5,76,142/- but submission on
behalf of the petitioner is that petitioner deposited Rs.4,97,867/-
and the aforesaid deposit was paid with the District Manager,
Chapra which is evident from Annexure-2/1 series and thereafter,
again petitioner deposited Rs.25,000/-. It is further submitted that

now there is only dues of Rs.53,275/- against the petitioner which petitioner shall deposit in a very short span of time.

Learned counsel appearing for the Bihar State Food and Civil Supplies Corporation concedes to this effect that District Manager, Chapra gave information to him that Rs.4,97,867/- had already been paid to the Corporation.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner above named, in the event of arrest/ surrender within six weeks from the date of receipt of this order to the concerned court, be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Judicial Magistrate 1st Class, Chapra at Saran in Parsa P.S. Case no. 115 of 2016 subject to condition as laid down under section 438(2) of the Cr.P.C. However, it is made clear that petitioner shall deposit the rest amount within six months from the date of execution of bond before the court below, failing which the opposite party no.2 may file petition for cancellation of bail of the petitioner before the court below itself.

(Hemant Kumar Srivastava, J)

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