

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42971 of 2016

Arising Out of PS.Case No. -33 Year- 2016 Thana -JAMHORA District- AURANGABAD

1. Gopal Krishna, son of Sukhdeo Singh, resident of Village- Parasia, P.S.- Jamhor, District- Aurangabad.

.... Petitioner/s

Versus

- 1. The State of Bihar
- 2. The Bihar State Food Corporation through its Managing Director, Bihar, Patna.
- 3. The Bihar State Food Corporation through its Manager, Director, Bihar, Patna.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajendra Prasad Singh
Mr. Mukesh Kumar Singh
For BSFC : Mr. Shailendra Kumar Singh,
For the Opposite Party/s : Smt. Anusuiya Jaiswal

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 25-10-2016 Heard the parties.

This application, for grant of anticipatory bail, arises out of Jamhor P.S. Case No. 33 of 2016, disclosing offences under Sections 420, 406, 409 and 120(B) of the Indian Penal Code.

Allegation against the petitioner, who is the Chairman of Dhangai PACCS, in the district of Aurangabad, is of having misappropriated CMR to the tune of 2708.67 quintals.

Learned counsel, appearing on behalf of the petitioner, taking a line of least resistance, only for the purpose of grant of anticipatory bail, has submitted that without prejudice to his rights and contentions, the petitioner is ready to deposit the amount within a period of six months from today.

In view of the fair stand taken on behalf of the petitioner,

this application is disposed of with a direction to the Managing Director, to calculate the value of the CMR and inform the petitioner within a period of one week from today, through learned counsel for the B.S.F.C and learned counsel, representing the petitioner.

In view of the undertaking that the petitioner shall deposit the said amount within a period of six months, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, in connection with Jamhor P.S. Case No. 33 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself/herself before the police/Court, as the case may be, as and when required and in the event of failure on his/her part to appear before the Court on two consecutive occasions, his/her bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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