

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50300 of 2015

Arising Out of PS.Case No. -161 Year- 2015 Thana -MADHUBANI TOWN District-  
MADHUBANI

1. Kishori Prasad Son of Shri Krishna Prasad resident of village - Palliganj,  
Post office + Police Station - Palliganj, District - Patna

.... .... Petitioner/s

Versus

1. The State of Bihar  
2. Bihar State Food and Civil Supply Corporation Limited, Madhubani,  
through its District Manager at Madhubani

.... .... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar  
For the Opposite Party/s : Mr. Madhuranand Jha(App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI  
SHARAN SINGH  
ORAL ORDER

5 29-02-2016 Heard learned Counsel for the petitioner and  
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,  
arises out of Madhubani Town Police Station Case No. 161  
of 2015, disclosing offences under Sections 406, 409 and  
420 of the Indian Penal Code.

Allegedly, the petitioner has misappropriated  
1193.57.136 quintals of CMR rice, worth Rs. 25,84,750/-  
which was given to him under agreement with Bihar State  
Food and Civil Supplies Corporation Limited.

Mr. Sanjay Singh, learned Counsel appearing on  
behalf of the petitioner, on instructions, submits that the



petitioner is ready to deposit 20 per cent of the amount allegedly misappropriate by him, without any prejudice to his rights and contention, which can be raised before any Court/Authority in this connection. He further submits that considering the status of the petitioner and nature of accusation against him, there is no chance of his fleeing from justice or tampering with the evidence. He also submits that the petitioner shall deposit the said amount of 20 per cent of the amount allegedly misappropriated, within a period of four weeks from today.

Considering the submissions, as above, this application is allowed.

Let the petitioner, Kishori Prasad, 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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhubani, in connection with Madhubani Town Police Station Case No. 161 of 2015, 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 before the police/Court, as the case may be, as and when required and in the event of

failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

**(Chakradhari Sharan Singh, J)**

Prabhakar Anand/-

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