

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3760 of 2016

Arising Out of PS.Case No. -296 Year- 2015 Thana -SAHARSA District- SAHARSA

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Mohan Prasad, S/o Late Ganpat Prasad, Resident of Diwari, P.S. - Sonbarsa
Kachahari, District - Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Bihar State Food & Civil Supplies Corporation Ltd., Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Chandra Bhushan Das, Advocate
For the State : Mr. Shailendra Kumar No.1(APP)
For the BSFC : Mr. S.K. Singh, Advocate

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 17-02-2016 Heard learned counsel for the petitioner and the

learned counsel for the Bihar State Food Corporation as well as

the learned counsel for the State.

The petitioner is apprehending his arrest in connection
with Saharsa P.S. Case No.296 of 2015, G.R. No.981/2015 for
allegedly having committed the offence under Sections 406,
409 and 420/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that
1147.98 quintals of C.M.R has been found due from the
petitioner. It is further submitted that for recovery of the amount
of C.M.R., P.D.R. proceeding is also pending, in which the
petitioner has deposited Rs.3,50,000/- (Three lacs and fifty
thousand). It is further submitted that whatever may be the

allegation, the petitioner is still willing to deposit 20% of the alleged defalcated amount within a period of eight months.

Considering the *bona fide* offer made by the petitioner, 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 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, Saharsa, in connection with Saharsa P.S. Case No.296 of 2015, G.R. No.981/2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

It is made clear that the present order granting interim protection to the petitioner is only on a consideration that he shall deposit the aforementioned amount within the period undertaken by him. However, if the same is not done, it shall be open to the opposite party to move this Court or the court below for appropriate further orders.

(Anjana Mishra, J)

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