

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6006 of 2016

Arising Out of PS. Case No.-122 Year-2015 Thana- SHASTRINAGAR District- Patna

Manoj Kumar Kushwaha, S/o Late Sukhdeo Prasad, R/o Village- Ramnagar,
P.S.- Vijaypur, District- Gopalganj, Proprietor M/s S P R D Seed Processing
Unit, Ramnagar, Mushari Bazar, Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mohan Lal Sharma son of Om Prakash Sharma, Posted as Manager, National Seed Corporation Ltd., Regional Office, Sheikhpura, Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Anil Chandra, Advocate
For the Opposite Party/s :	Mr. SANDEEP KUMAR (APP)
	Mr. Sandeep Kumar, Advocate

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

25 19-09-2017 Heard learned counsel for the petitioner, the State and
the Informant.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 419, 420 and 379
of the Indian Penal Code.

As per the allegation, the petitioner did not supply the
seeds of about Rs. 62 lacs. The petitioner claims that he has
supplied the seeds amounting to Rs. 30, 92, 400/- to National
Seed Corporation and, thereafter, on 26.03.2015, he has also
deposited cash in account of NSC amounting to
Rs.15,00,000/-. Thus, it is contended that admittedly more
than Rs.45,00,000/- have already been paid to the National



Seed Corporation.

Though learned counsel for the National Seed Corporation vehemently opposed the prayer for bail but he has not been able to show that this amount has not been received by the Seed Corporation.

Accordingly, for the purpose of disposal of this application, this Court would direct the petitioner to deposit Rs. 12,00,000/- within a period of three months.

The interim relief granted to the petitioner vide order dated 23.02.2016 would continue and, in the meantime, the petitioner would be required to surrender before the court below and furnish necessary evidence of payment of Rs.12,00,000/- in favour of National Seed Corporation. In that even, he should be released on bail in connection with Shastrinagar P.S. Case No.122/2015, on furnishing bail bond of Rs.10,000 (Ten Thousand Rupees) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Patna subject to the conditions as laid down under sub-section (2) of Section 438 of the Code of Criminal Procedure.

However, the aforesaid deposit by the petitioner would be subject to the result of the criminal case concerned and



would be without prejudice to the stand which may be taken
by him for his defence in the case concerned.

(Dr. Ravi Ranjan, J)

V.K.Pandey/-

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