

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.54862 of 2016**

Arising Out of PS.Case No. -88 Year- 2015 Thana -MASRAKH District- SARAN

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TARKESHWAR SINGH, SON OF RAJ NARAYAN SINGH, RESIDENT  
OF VILLAGE- CHANDTARWA, POLICE STATION- MASHRAK,  
DISTRICT- SARAN.

.... .... PETITIONER/S

VERSUS

1. THE STATE OF BIHAR.
2. BIHAR STATE FOOD & CIVIL SUPPLY CORPORATION  
THROUGH ITS MANAGING DIRECTOR, PATNA.

.... .... OPPOSITE PARTY/S

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**Appearance:**

|                      |   |                                                                 |
|----------------------|---|-----------------------------------------------------------------|
| For the Petitioner/s | : | Mr. Bindkeshri Kumar, Sr. Adv.<br>Mr. Ravi Shankar Pathak, Adv. |
| For BSFC             | : | Mr. Shailendra Kumar Singh, Adv.                                |
| For the State        | : | Mrs. Sharda Kumari, Adv.                                        |

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**CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI**  
**ORAL ORDER**

4      09-01-2017                      Heard learned counsel for the petitioner as well as  
  
learned counsel for BSFC along with learned Additional Public  
  
Prosecutor.

Learned counsel for the BSFC has submitted that so  
many orders of this Court while dealing with anticipatory bail  
petitions of respective petitioners including the petitioner have  
been challenged before Hon'ble Apex Court and same is pending  
for final hearing. It has also been submitted that for the recovery  
of the amount admittedly certificate proceeding has been drawn  
up. It has also been submitted that all the millers through out State  
of Bihar have illegally digested the public money. It has further  
been submitted that though the conditions so imposed by this  
Court at the time of granting anticipatory bail though stayed by the  
Hon'ble Supreme Court subsequently but during the intervening



period, petitioner had not complied with the aforesaid condition. So, the petitioner should not be allowed privilege of regular bail.

The learned Additional Public Prosecutor reiterated his submission whatever been made at an earlier occasion.

Learned counsel for the petitioner submits that petitioner is ready to accept the direction, if any, even to adverse to his interest, by the Hon'ble Apex Court.

Considering pendency of certificate proceeding for realization of the amount in consonance with the terms and condition having incorporated in the deed of agreement as well as period of custody since 30.09.2016, petitioner Tarkeshwar Singh is directed to be released on bail on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each, to the satisfaction of learned Additional Chief Judicial Magistrate, VIIIth, Saran at Chapra in connection with Mashrak P.S. Case No.88/2015 with a condition that he will furnish an undertaking before the learned lower court that he will abide with the in terms of order of the Hon'ble Apex Court, if any going to be passed on a S.L.P. having been filed by the B.S.F.C.

**(Aditya Kumar Trivedi, J.)**

Prakash Narayan

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