

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52808 of 2016

Arising Out of PS.Case No. -278 Year- 2016 Thana -GAYA MUFFSIL District- GAYA

=====

Kedar Saw, S/o - Maho Saw, R/o Village - Sanaut, P.S. Muzaffarpur,
presently residing at Village - Sheotar, P.S. Atari, District Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The District Manager, State Food Corporation, Gaya District Gaya.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Krishna Mohan Mishra, Advocate.

For the Opposite Party/s : Mr. Sri Binod Kumar 2, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

6 31-01-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Mufassil P.S. Case No. 278 of 2016, registered under Sections 406, 409, 420, 467, 468, 188 and 120(B)/34 of the Indian Penal Code.

The accusation is that petitioner being the proprietor of the Srikrishna Stuti Rice Mill received 8186.40 quintals paddy under an agreement to return 5484.89 quintals rice after milling but he supplied only 808.90 quintals rice and remaining 4675.99 quintals rice worth Rs.1,15,89,721.78/- could not be supplied and the petitioner deposited only Rs.



32,50,004.78/- and remaining amount of Rs. 83,39,717.00/- is due against him.

Learned counsel for the petitioner submits that the recovery proceeding has been initiated against the petitioner for realization of the due amount. The petitioner undertakes that he will deposit 30% of due amount within three months subject to out come of Certificate Proceeding/ Civil Proceeding.

Having regard to the facts and circumstances of the case and submission of learned counsel for the petitioner, let the above named petitioner be released on provisional bail for three months, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gaya, in connection with Mufassil P.S. Case No. 278 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C. If the petitioner submits the receipt regarding depositing of 30% of Rs. 83,39,717.00/- within three months in favour of Bihar State Food and Civil Supplies, Corporation Ltd. Patna, the provisional bail of the petitioner shall be confirmed by the court below. If the petitioner fails to submit the receipt of showing the deposit of



30% of Rs.83,39,717.00, the court below will be at liberty to cancel his bail bond.

Accordingly, the application is disposed of.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

U		T	
---	--	---	--

