

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36998 of 2017

Arising Out of PS.Case No. -135 Year- 2016 Thana -LAKHNOUR District- MADHUBANI

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1. Khushi Lal Kamat, Son of Late Jagat Kamat, R/o Village- Behat North, P.S.- Jhanjharpur, District- Madhubani.
 2. Batohi Choupal, Son of Late Basuki Choupal, R/o Village- Berma, P.S.- R.S. Sivr Lakhaur, District- Madhubani.

.... Petitioners/

Versus

The State of Bihar

.... Opposite Party.

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Appearance :

For the Petitioners : Mr. Gagan Deo Yadav, Advocate.

For the State : Mr. Dashrath Mehta, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

6 11-12-2017 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Lakhanour P.S. Case No.135 of 2016 registered under Sections 406, 420 and 120(B) of the Indian Penal Code.

The accusation is that the petitioner no.1 Khushi Lal Kamat being the Chairman of the PACS, Behat, received 2400 quintal paddy to supply 1608 quintal rice after milling but he supplied only 890.07 quintal rice and remaining 717.93 quintal rice was misappropriate by him. Similarly, the petitioner no.2 Batohi Choupal being the Chairman of the PACS, Berma, received 1705 quintal paddy to supply 1142.35 quintal rice after milling but he supplied only 484.60 quintal rice and



remaining 657.75 quintal rice was misappropriate by him.

Learned counsel for the petitioners submits that, in fact, Certificate Proceedings numbered as Certificate Case Nos.24/36 of 2016-17 and 26/34 of 2016-17 were initiated against the petitioners respectively in which the amount of certificate, issued against the petitioners, have been deposited in the concerned department regarding which certificates have been issued by the District Certificate Officer, Madhubani, which would appear from Page Nos.54 and 55 to this application.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Jhanyharpur, Madhubani, in connection with Lakhanour P.S. Case No.135 of 2016, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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