

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61978 of 2018

Arising Out of PS. Case No.-172 Year-2016 Thana- MUFFASIL District- West Champaran

Krishna Mohan Rai Son of Late Kailash Rai, resident of Village- Gonuti, P.S. Bettiah, Muffasil, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The State Food and Civil Supply Corporation through its Managing Director, Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Adv. Mr. L.K. Sharma Mr.
For the State	:	Ms. Reena Sinha, APP
For O.P. No. 2	:	Dr. Kislay

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 08-10-2018 Heard learned Senior Counsel for the petitioner, learned Counsel appearing on behalf of the Opposite Party No. 2 and learned Additional Public Prosecutor for the State.

This application, for grant of bail, arises out of Bettiah Muffasil Police Station Case No. 172 of 2016, disclosing offences under Sections 409 and 420 of the Indian Penal Code.

The petitioner is a miller. The allegation against him is that he misappropriated CMR to the tune of 4048.14 quintals, worth Rs. 1,0033,557.88/- (Rupees One Crore thirty three thousand five hundred fifty seven and eighty eight paisa).



Mr. Ramakant Sharma, learned Senior Counsel, appearing on behalf of the petitioner contends that the petitioner is ready to pay the amount in installments as alleged to have been misappropriated by him as a condition precedent for grant of his regular bail. He has also submitted that the petitioner shall not flee from the course of investigation and shall present himself before the Court for enquiry or trial as and when required. He has also submitted that the petitioner undertakes to pay an amount of Rs. 20,00,000/- on the date of his release and rest amount within a period of one year in equal installments.

Considering the above stand taken on behalf of the petitioner, this application is allowed.

Let the petitioner, Krishna Mohan Rai, 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 Additional Sessions Judge X –cum- Special Judge, Saran at Chapra, in connection with Bettiah Muffasil Police Station Case No. 172 of 2016.

This is subject to the condition that the petitioner shall pay the said amount of Rs.20,00,000/- on or before furnishing his bail bonds. Rest of the amount, the petitioner shall be required to pay in 12 equal monthly installments commencing



from November, 2018 (by 5th of every month).

In case of breach of the condition above noted, the petitioner's bail bonds shall be liable to be cancelled.

The deposit of the said amount shall be without prejudice to any defence, which the petitioner may take in connection with this matter in any proceeding, judicial or *quasi* judicial.

(Chakradhari Sharan Singh, J.)

Ragini/-

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