

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6070 of 2019

Arising Out of PS. Case No.-222 Year-2018 Thana- PAHARPUR District- East Champaran

1. AJAY BAHADUR PANDEY @ AJAY BHADUR PANDEY son of Janardan Pandey Village-Pandey Tola, Tejpurwa,P.O-Sonbal, P.S-Paharpur,Distt.-East Champaran.

2. Rameshwar Singh, aged about 44 years, male, Son of Late Jai Prakash Singh

Both residents of Village: Pandey Tola, Tejpurwa, PO: Sonbal, P.S. Paharpur, District: East Champaran

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR AND ANR Bihar

2. The Managing Director, Bihar State Food and Civil Supplies Corporation, Bihar Patna. Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 05-02-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Paharpur (Malahi) P.S. Case N0. 222 of 2018 (G.R. No. 5514 of 2018), disclosing offences under Sections 406,409 and 420/34 of the Indian Penal Code.

Allegedly, the petitioners misappropriated 1912.3 quintals of Customized Mill Rice worth Rs. 29,63,646.50 which was to be supplied to the Bihar State Food Corporation Limited by the PACS. Petitioner No.1 is the Chairman of the concerned PACS whereas petitioner No.2 is the Manager.

While denying the allegation of misappropriation as made in the First Information Report, learned counsel for the petitioners taking a line of least resistance, has submitted that the said amount of Rs. 29,63,646.50 shall be deposited by the petitioners in the account of Bihar State Food Corporation, Motihari within four months from today.



Considering the submission so made, this application is allowed.

If the petitioners above-named surrender before the Court below by 17th of June, 2019, they shall be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran in Paharpur (Malahi) P.S. Case No. 222 of 2018(G.R. No. 5514 of 2018), subject to proof of paying submitted by the petitioners of the deposit of the said amount.

Till that date, the petitioners above-named shall not be arrested in connection with Paharpur (Malahi) P.S. Case No. 222 of 2018 (G.R. No. 5514 of 2018), pending in the Court of learned Chief Judicial Magistrate, Motihari, East Champaran.

(Chakradhari Sharan Singh, J)

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