

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23410 of 2019

Arising Out of PS. Case No.-170 Year-2018 Thana- BHAWANIPUR District- Purnia

KUNDAN KUMAR S/O- Late Prabhakar Mandal, Resident of Village- Sripur
Milik, P.S.- Bhawanipur, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Mukesh Kumar Jha
		Mr. Bhola Prasad
For the BSFC	:	Mr. Shailendra Kumar Singh
For the Opposite Party/s	:	Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 28-06-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Bhawaniur P.S.Case No.170 of 2018, registered for offences punishable under Sections 406, 409 and 420 of the Indian Penal Code.

Prosecution story as per the written report lodged by the Block Co-operative Extension Officer is that the petitioner, who happens to be Chairman of the PACS Godown has taken money for purchase of 402 quintals of paddy but he has given the same to co-accused Prasant Kumar but the CMR has not been deposited, as such the petitioner in collusion with the Miller has misappropriated the amount of Rs.6,24,625/-.



Submission of the learned counsel for the petitioner is that he has supplied paddy but the CMR has not been deposited by the Rice Miller and the Rice Miller Prasant Kumar has been granted bail by a Co-ordinate Bench of this Court, vide order dated 14.5.2019 passed in Cr. Misc. No.14022 of 2019 . It is further submitted that petitioner has already deposited Rs.03 lac, which will appear from Annexure-4.

Heard learned A.P.P. , who has opposed the prayer for bail on the ground that there is direct allegation against the petitioner.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, surrender before the learned court below by 31.07.2019, showing the payment already made by him and he will pay remaining amount by bank draft payable to the Purnea District Central Co-operative Bank in two equal installments' out of which first installment will be paid on the date of surrender, then he will be released on provisional bail in connection with Bhawanipur P.S.Case No.170 of 2018 for further period of two months from that date and the learned court below in the meantime, will verify from the Purnea



District Central Co-operative Bank about deposit of Rs.03 lac earlier and once being satisfied with the deposit of total amount, he will confirm the bail bond of the petitioner.

With the above direction, this application is disposed of.

(Vinod Kumar Sinha, J)

chn/-

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

