

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39338 of 2019

Arising Out of PS. Case No.-83 Year-2017 Thana- NATWAR District- Rohtas

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1. RAMASHANKAR PANDEY Son of Omkar Nath Pandey Resident of Village - Maudihra, P.S. - Natwar, District - Rohtas.
 2. Ramchandra Choudhary Son of Late Bisheshwar Choudhary Resident of Village - Biraua Kala, P.S. - Natwar, District - Rohtas.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. The Managing Director, Bihar Food and Civil Supplies Corporation Ltd. Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sada Nand Roy
For the Opposite Party/s : Mr.Ajay Kumar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 27-06-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Natwar P.S. Case NO. 83 of 2017, disclosing offences under Sections 420,409/34 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

A sum of Rs. 24,92,885.20/- is said to have been defalcated which is value of 1695.16 quintals of paddy. The petitioner No.1 is Chairman of Rajpur Pacs, whereas the petitioner No.2 is admittedly an employee in the said Pacs. It is alleged that against purchase of paddy, the Pacs was required to supply proportionate CMR. Allegedly, the Pacs did not supply CMR, equivalent to 1695.16 quintals of paddy.

Considering the gravity of the offence and taking a line of least resistance, learned counsel for the petitioners has submitted that the amount alleged to have been defalcated, shall be deposited within two



months from today. It is pointed out that a sum of Rs. 4,06,000/- has already been deposited in the concerned Bank. He has accordingly submitted that rest of the amount out of 24,91,885.20/- shall be deposited in the appropriate bank account within the aforesaid two months.

Considering the above, this application is allowed.

Let the petitioners above named in the event of his arrest/surrender within nine weeks from today in the Court below, 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 Judicial Magistrate, First Class, Bikramganj, Rohtas in Natwar P.S. Case No. 83 of 2017, subject to verification that the said amount stands deposited and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

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(Chakradhari Sharan Singh, J)

