

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2014 of 2019

Arising Out of PS. Case No.-706 Year-2017 Thana- VAISHALI District- Vaishali

Hari Shankar Prasad, son of Sri Jagarnath Prasad Prop. M/s Shivam Rice Mill, Kritpur, P.S.- Paharpur, East Champaran, Motihar

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Manager, S.F.C., Vaishali, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sanjay Kumar
For the BSFC		Mr. Shailendra Kumar Singh
For the Opposite Party/s :		Mr. Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 01-02-2019 Heard the parties.

The petitioner is apprehending his arrest in connection with Hajipur (Vaishali) Town P.S. Case No.706 of 2017 registered for offences punishable under Sections 467, 468, 471, 409, 406 and 420 of the Indian Penal Code.

Allegation against the petitioner is of defalcation of the amount as he has not deposited total CMR of the rice and it appears that petitioner has deposited Rs.8 lakhs itself and still more than Rs.55 lakhs is dues to the petitioner.

Heard learned A.P.P. as well as learned counsel for BSFC. It has also been stated that the petitioner is still ready to deposit the amount if sufficient time is being given to him.

Having heard both sides and in view of the facts



and circumstances, the application is disposed of with the direction to the petitioner to surrender before the Court below, within a period of six weeks from the date of receipt/ production of a copy of this order, with bank draft of Rs.5,29,322/-and payable in the name of the BSFC and if the same be deposited petitioner be granted provisional bail for the period of ten months. He will deposit the rest of the amount in ten equal instalments of Rs.5 lakhs each payable in the first week of next month and consecutive months till the completion of the all dues amount, his bail bond shall be confirmed. Failing which to deposit any instalment, bail bond of the petitioner shall be cancelled, on the other hand, when total amount is deposited, his bail bond shall be confirmed.

The petition stand disposed of with the above direction.

(Vinod Kumar Sinha, J)

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