

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19554 of 2024

Arising Out of PS. Case No.-148 Year-2023 Thana- CHORAUT District- Sitamarhi

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1. Gopal Kumar Jha S/o Tarakant Jha R/o vill - Choraut, P.S. - Choraut, Distt. - Sitamarhi
 2. Shankar Panjiyar S/o Bindeshwar Panjiyar R/o vill - Birrakh, P.S. - Sursand, Distt. - Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Cooperative Officer Sitamarhi, Distt. - Sitamarhi Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar , Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 04-07-2024 Heard learned counsel for the parties.

2. Petitioners apprehend arrest in a case registered for the offence punishable under Sections 406, 420, 504, 506 and 34 of the Indian Penal Code .

3. As per prosecution case, these petitioners are alleged to have not supplied 3160 Qts. rice and defalcated Rs. 65,25,400/- .

4. At the outset, learned counsel for the petitioners submits that petitioners are ready to return the alleged amount of Rs. 65, 00,000/- (sixty five lakhs), in installments through Demand Draft in the name of the District Manager Bihar State Food and Civil Supply Corporation .



5 . Learned counsel for the opposite party did not controvert the submission made on behalf of petitioners.

6. Considering the aforesaid contention made on behalf of the petitioners, this anticipatory bail is allowed and it is ordered that let the above named petitioners, in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged 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 Judicial Magistrate Pupri at Sitamarhi in connection with Choraut P. S. Case No. 148 of 2023 , subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure with direction to the petitioners that :-

(i) Petitioners shall refund Rs. 10,00,000/- (Rs. Ten lakh) through Demand Draft in the name of the District Manager Bihar State Food and Civil Supply Corporation , at the time of furnishing bail-bond, rest amount i.e., 55,00,000/- (Rs. Fifty five Lacs) shall be deposited in 10 installments within two years through Demand Draft to the District Manager Bihar State Food and Civil Supply Corporation (informant) , failing which, the learned court below would be at liberty to cancel the bail-bond.

6. It is made clear that without going into the merit of



the case, this order has been passed only for the purpose of bail.

(Prabhat Kumar Singh, J)

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