

ITEM NO.45

COURT NO.4

SECTION IIA

S U P R E M E      C O U R T   O F      I N D I A  
R E C O R D   O F   P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl) No(s).10158/2009  
(From the judgement and order dated 23/04/2009 in      CRLM No.  
4128/2009 of The HIGH COURT OF JUDICATURE AT PATNA)

PRAFULLA KUMAR

Petitioner(s)

VERSUS

STATE OF BIHAR  
(With appln(s) for bail and office report )

Respondent(s)

Date: 30/08/2010      This      Petition      was      called      on      for      hearing  
today.

CORAM :

HON'BLE MR. JUSTICE DALVEER BHANDARI  
HON'BLE MR. JUSTICE DEEPAK VERMA

For Petitioner(s)      Mr.Kailash Vasudeo,Sr.Adv.  
   Mr.R.R.Rajesh, Adv.  
   Mr. P.Vinay Kumar,Adv.

For Respondent(s)      Mr.Manish Kumar, Adv.  
   For Mr. Gopal Singh,Adv.

UPON hearing counsel the Court made the following  
O R D E R

We have heard learned counsel for the parties.

Mr.Kailash Vasudeo, learned senior counsel appearing  
for the petitioner submits that the entire amount of  
Rs.4,69,755/- has been returned to the statutory authorities.

Out of the 1600 students, 19 students had the problem by eating  
the food supplied by the petitioner. They were hospitalised for  
a couple of hours and they were discharged on the same day.

Mr.Vasudeo has agreed to deposit Rs.20,000/- per child for 19

2

children in the trial Court. Such children may be identified  
and the amount may be paid to their legal guardians after due  
verification.

In this view of the matter, we deem it appropriate to  
quash the proceedings which are pending against the petitioner  
under Sections 269,328,420/34 of the I.P.C. pending before the  
concerned court at Khagaria, Bihar arising out of F.I.R.

No.11/08. The amount be deposited within four weeks from today in the trial Court and if the amount is not deposited, this order would be of no avail to the petitioner.

This Special Leave Petition is, accordingly, disposed of.

(G.V.Ramana)  
Court Master

(Neeru Bala Vij)  
Court Master