

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18246 of 2015

Arising Out of PS.Case No. -111 Year- 2015 Thana -BEGUSARAI TOWN District- BEGUSARAI
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Sanjay Kumar Sharma son of Late Ramnandan Sharma resident of Village - Gango Bigha, Police Station - Parbalpur, District - Nalanda at Biharsharif and at present residing at village - Sokhara, Uncha Tola, Police Station - Phulwaria, District - Begusarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj

For the Opposite Party/s : Mr. Asha Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 29-06-2015 Heard learned counsel for the petitioner and the State.

The petitioner is an accused of Begusarai Town P.S. Case No. 111 of 2015 registered under sections 406,420 and 120-B/34 IPC. The allegation precisely is that the petitioner along with others earlier visited the rice mill of the informant and subsequently on phone ordered for supply of 15 tons of rice which was/were supplied. The cell number allotted to the petitioner confirmed the receipt of the consignment. The payment was not made to the informant. Instead, rice supplied and was shifted to some other place.

It has been submitted on behalf of the petitioner

that due to business rivalry the FIR has been lodged. The petitioner is willing to deposit the loss sustained by the informant without prejudice to his right and defence. He has no criminal antecedent of such crime and is in custody since 02.03.2015.

Learned APP points out the relevant materials which were collected in course of investigation incriminating the petitioner in the crime, some of which have been noticed by the learned Sessions Judge in the impugned order.

Considering the stand taken by the petitioner and the fact that he is in custody since 02.03.2015, let him be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of CJM, Begusarai in Begusarai Town P.S. Case No. 111 of 2015 on condition that one of the bailors of the petitioner shall be his own/close family member. In the event of framing of charge he shall appear in person on each date fixed at the trial. Failure in appearance on two consecutive dates shall lead to cancellation of his bail bonds. Along with the bail bonds the petitioner shall produce a bank instrument favouring the complainant in the sum of Rs. 25,000/- which the informant/complainant shall be entitled to withdraw

subject to result of the case. Such deposit to be made by the
petitioner shall be without prejudice to his right and defence
in the case.

(Kishore Kumar Mandal, J)

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