

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33334 of 2015

Arising Out of PS.Case No. -71 Year- 2015 Thana -MOTIPUR District- MUZAFFARPUR

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1. Awadh Kumar Gupta Son of late Sitaram Sah R/o - Village- Dariya Chhapra, P/s -Motipur, District Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Bihar State Food and Civil Supply Corporation Ltd.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok
For the Opposite Party/s : Mr. Akbar Ali (App)
For the BSFC : Mr. Shailendra Kr. Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 20-08-2015 Heard both sides.

The petitioner seeks bail in a case under Section 409, 420 of the Indian Penal Code.

The petitioner lifted 7502. 80 quintals of paddy and the petitioner had to deliver 5026.88 quintals of rice but the petitioner did not deliver any quantity of rice and thereby the petitioner misappropriate a sum of Rs. 1, 08, 86, 010.25/-.

It is submitted that there is an agreement between the BSFC and the petitioner but the BSFC did not provide transportation. A certificate is also pending. The petitioner is, however, ready to deposit 20% of the aforesaid amount, i.e., Rs. 1, 08, 86, 010.25/- within eight months from the date of his

release. The petitioner is in jail since 12.05.2015.

Considering the facts aforesaid and the nature of allegation made against the petitioner and the fact that the petitioner is in jail for last three months, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-divisional Judicial Magistrate, (West), Muzaffarpur in Motipur P.S. Case No. 71/15.

(Prabhat Kumar Jha, J)

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