

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34630 of 2015

Arising Out of PS.Case No. -91 Year- 2015 Thana -DUMRA District- SITAMARHI

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Deepak Kumar, Son of Shankar Prasad @ Shiv Shankar Prasad, R/O
Village – Naya Tola, Riga Road, Ward No. 2, P.S. & District – Sitamarhi,
Proprietor of Pargati Udhyog Rice Mill, Sitamarhi.

.... Petitioner

Versus

1. The State of Bihar
2. The B.S.F.C., through the District Manager, Sitamarhi.

.... Opposite Parties

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Appearance :

For the Petitioner	: Mr. N.K. Agrawal, Sr. Advocate. Mr. Ashok Kumar Jha, Advocate.
For the Opposite Parties	: Mr. Yogendra Kumar(App)
For the B.S.F.C.	: Mr. Shailendra Kumar Singh, Advocate.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 05-08-2015 Heard both sides.

The petitioner seeks bail in a case registered for the offences punishable under Sections 406, 409, 420 and 34 of the Indian Penal Code.

The petitioner lifted 7916.80 quintals of paddy and he was to deliver 5304.26 quintals of paddy in the financial year 2012-13, but the petitioner supplied only 3240 quintals of rice and the remaining 2064.26 quintals of rice is still lying and thereby the petitioner misappropriated a sum of Rs. 44,70,278.89/-.

It is submitted that the mother of the petitioner died and he has to perform the Shradh ceremony. The petitioner is in jail for more than one and half months. The petitioner is ready to deposit

15 per cent of the aforesaid amount within six months.

Sri Shailendra Kumar Singh, the learned counsel for the B.S.F.C. did not raise any objection on the condition put forth by the learned counsel for the petitioner.

Considering the facts aforesaid, the petitioner above named 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 Chief Judicial Magistrate, Sitamarhi in Dumra P.S. Case No. 91 of 2015. If the petitioner fails to deposit 15 per cent of Rs. 44,70,278.89/- within six months the learned court below shall cancel the bail bond of the petitioner.

(Prabhat Kumar Jha, J.)

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