

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38508 of 2015

Arising Out of PS.Case No. -36 Year- 2015 Thana -RAMGARHWA District-
EASTCHAMPARAN(MOTIHARI)

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Madan Yadav Son of Ramdeo Yadav R/o Village Ahirauliya, P.S. Ramgarhwa, District East Champaran, proprietor of M/S Kunal Rice Mill, Ahirauliya, Murgiya Tola, P.S. Ramgarhwa, District East Champaran

.... Petitioner

Versus

1. The State of Bihar
2. The Bihar State Food & Civil Supplies Corporation Limited, Patna through its Managing Director

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Vinod Gautam, Advocate.
For the Opposite Parties : Mr. R.P.S.Singh(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 04-09-2015 Heard both sides.

The petitioner seeks bail in a case registered for the offences punishable under Sections 409, 420 and 120B of the Indian Penal Code.

The petitioner lifted 2500 quintals of paddy in the year 2012-13, he had to deliver 1742 quintals of rice, but the petitioner delivered only 540 quintals of rice thereby the petitioner misappropriated 1202 quintals of rice the price of which comes to Rs. 26, 03,003.12/-.

It is submitted that the petitioner did not violate any terms and conditions of the agreement. A certificate case is also

pending for realization of the amount. The dispute is breach of agreement between the B.S.F.C. and the rice miller. The petitioner is in jail since 16.06.2015.

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 Sub-Divisional Judicial Magistrate, Raxaul at Motihari, East Champaran in Ramgarhwa P.S. Case No. 36 of 2015.

(Prabhat Kumar Jha, J.)

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