

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39390 of 2015

Arising Out of PS.Case No. -3 Year- 2015 Thana -SHEIKHOPUR SARAI District- SEKHPURA

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Mukesh Kumar, Son of Sri Ram Bilash Singh, Resident of Village- Jodhan Bigha, P.S. Shekhopur, Sarai, in the District of Sheikhpura.

.... Petitioner

Versus

1. The State of Bihar.
2. Pramod Kumar Keshri, Son of Late Narayan Prasad Keshri, Resident of village- Sangrampur, P.S.- Sangrampur in the district of Munger, at Present Assistant Godown Manager, Ariyari, P.S. Ariyari, District- Sheikhpura, Bihar State Food Corporation and Civil Supply Corporation, Lakhisarai, Bihar.

.... Opposite Parties

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Appearance :

For the Petitioner	: Mr. Sanjeev Kumar, Advocate.
For the Opposite Parties	: Mr. Sanjay Kumar Tiwary (App)
For the B.S.F.C.	: Mr. Awadhesh Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 01-09-2015 Heard both sides.

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

The petitioner had lifted 12493 quintals of paddy and he had to deliver 8370.31 quintals of rice, but the petitioner deposited only 1080 quintals of rice meaning thereby 7290.31 quintals of rice has been misappropriated and price of which comes to Rs. 1,57,87,604/-.

It is submitted that the rice is still lying in the godown of the petitioner. The petitioner did not breach any terms and

conditions of the agreement. A certificate case is also going on for the recovery of entire amount.

Considering the facts that there was an agreement between the B.S.F.C. and the miller for milling the paddy and to deliver rice and a certificate case is also going on for realization of the amount alleged to have been misappropriated by the petitioner and the petitioner is in jail since 16.06.2015, 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 Additional Chief Judicial Magistrate, Sheikhpura in Shekhopur P.S. Case No. 3 of 2015.

(Prabhat Kumar Jha, J.)

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