

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41276 of 2015

Arising Out of PS.Case No. -102 Year- 2015 Thana -MARHAURA District- SARAN

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1. Tarkeshwar Rai S/o Late Kalicharan Rai R/o-village- Bhualpur. P.S-
Marhaura, Distt- Saran

.... Petitioner/s

Versus

1. The State of Bihar
2. The Bihar State food and Civil Supply Corporation Ltd. through its
Managing director Patna,

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Neeraj Kumar Alias Sanidh
For the Opposite Party/s : Mr. Yogendra Kumar(App)
For the BSFC : Mr. Shailendra Kr. Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 09-09-2015 Heard both sides.

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

The petitioner lifted 15687.65 quintals of paddy and
he had to deliver 10510.70 quintals of rice but he delivered only
5940 quintals of rice and remaining 4570.80 quintals of rice is said
to have been misappropriated by the petitioner, price of which
comes to Rs. 98, 98, 168.40/-.

It is submitted that petitioner did not misappropriate
any rice. It is a case of breach of agreement between the petitioner
and the BSFC. Certificate case is also going on for realization of

the aforesaid amount. The petitioner is in jail since 13.06.2015.

On the other hand, Sri Shailendra Kumar Singh, the learned counsel for the BSFC, opposed the prayer for bail but he did not deny the fact that certificate case is going on for realization of the aforesaid amount.

Considering the facts aforesaid and the nature of allegation made against the petitioner, 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 Chief Judicial Magistrate, Saran at Chapra in Marhaura P.S. Case No. 102/15.

(Prabhat Kumar Jha, J)

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