

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.46724 of 2015**

Arising Out of PS.Case No. -127 Year- 2015 Thana -KISHANGANJ District- KISANGANJ

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1. Amrito Biswas Son of Sri Amulya Biswan, resident of Bidhanpally, P.S.  
- Chakuliya, District- Uttar Dinajpur(W. Bengal).

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Shashi Bhushan Kumar

For the Opposite Party/s : Mr. Anil Pd.Singh(App)

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR**  
**SRIVASTAVA**  
**ORAL ORDER**

2      05-10-2015      Heard learned counsel for the petitioner as well as  
  
learned Additional Public Prosecutor for the State.

Petitioner happens to be rice mill owner and allegation  
against him is that he defalcated huge government money for  
which he is in jail custody since 17.06.2015.

Learned counsel or the petitioner submits that even if  
prosecution story assumed to be true, then also, it is a case of  
violation of agreement regarding which certificate case is also  
pending.

Considering the aforesaid facts and circumstances as  
well as submissions of the parties, let the petitioner, above named,  
be released on bail on furnishing bail bonds of Rs. 10,000/- with  
two sureties of the like amount each to the satisfaction of Chief

Judicial Magistrate, Kishanganj in connection with Kishanganj  
P.S.Case No. 127 of 2015.

However, first information report has been lodged  
against Smt. Amrito Biswas, who appears to be a female but the  
father's name of the petitioner and Smt. Amrito Biswas is  
common. The concerned court must verify the aforesaid fact and if  
it is found that female has been remanded in this case then  
petitioner shall not be released on bail.

**(Hemant Kumar Srivastava, J)**

Namita/-

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