

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.46613 of 2015**

Arising Out of PS.Case No. -60 Year- 2015 Thana -KUDRA

District- BHABHUA (KAIMUR)

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1. Jitendra Kumar Singh, Son of Bhim Sen Singh, Resident of village - Kudra, Police Station - Kudra, District - Kaimur (Bhabua).

.... .... Petitioner/s

Versus

1. The State of Bihar.

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

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**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar Tiwary, Adv.

For the Opposite Party/s : Mr. R.S. Chaudhary, (A.P.P.)

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH**

ORAL ORDER

2     16-10-2015                      Heard learned counsel for the petitioner and learned Assistant Public Prosecutor for the State.

This application for grant of regular bail arises out of Kudra P.S. Case No.60 of 2015, disclosing offences under Sections 409 & 420 of the Indian Penal Code.

The petitioner is in custody since 19.08.2015. The police are said to have submitted charge-sheet upon completion of investigation. It is alleged against the petitioner that, in terms of an agreement between him and

Bihar State Food & Civil Supplies Corporation Ltd., paddy to the tune of 8000 (eight thousand) quintals was supplied with the condition that he will be giving to the Corporation, custom milled rice, in a proportion, as prescribed under the agreement, but despite having received the said paddy, he failed to give to the Corporation, the proportionate custom milled rice.

Learned counsel, appearing on behalf of the petitioner, submits that at the maximum, it can be said to be breach of the agreement, entered into between the petitioner and the Corporation. He further submits that several cases of similar nature came to be instituted throughout the State of Bihar and in some of the cases, similarly situated persons have been granted regular bail by this Court vide orders, dated 29.06.2015 and 08.09.2015, passed in Cr. Misc. Nos.20514 and 40746 of 2015, respectively.

Considering the submission as above, this application is allowed. The petitioner, abovenamed, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Kaimur at Bhabhua**, in connection with **Kudra P.S. Case No.60 of 2015**.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required, and in the event of failure on his part to appear before the Court, on two consecutive occasions, his bail bond shall be liable to be cancelled.

**(Chakradhari Sharan Singh, J.)**

Praveen-II/-

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