

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54041 of 2015

Arising Out of PS.Case No. -10 Year- 2015 Thana -CHEWARA District- SHEIKHPURA

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1. Binod Kumar Singh @ Binod Kumar @ Bablu Kumar s/o Ramdular Singh, R/o Village & PO- Ekaraha, P.S. & Block- Chewara, District- Sheikhpura

.... Petitioner/s

Versus

1. The State of Bihar
2. The District Manager, Bihar State Food & Civil Supplies Corp. Ltd., Sheikhpura.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Roy

For the Opposite Party/s : Mr. S. Eheteshmuddin (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 01-12-2015 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner appears to be rice miller and lifted huge quantity of paddy but did not supply the CMR in terms of the agreement executed between the parties and accordingly, defalcated huge government amount.

Learned counsel for the petitioner submits that according to deed of agreement executed between the parties, it was Corporation who had to lift the CMR from the godown of the petitioner but as a matter of fact, the Corporation did not lift the CMR from the godown of the petitioner and after that petitioner

filed a request case before this Court and this Court referred the dispute of the parties to the District Collector, Sheikhpura.

Even if the prosecution story assumed to be true, then also, it appears that it is a case of breach of contract only.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial Magistrate, Sheikhpura in connection with Chewara P.S. Case No. 10 of 2015.

(Hemant Kumar Srivastava, J)

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