

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31141 of 2015

Arising Out of PS.Case No. -91 Year- 2015 Thana -DUMRA District- SITAMARHI

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Ram Vinay Prasad son of Late Ayodhya Prasad, resident of village Puran Chapra, P.S. Chakiya, District East Champaran at Motihar, Proprietor of M/S. Vishwakarma Rice Mill, East Champaran, Motihari.

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shambhu Nath Choubey

For the Opposite Party/s : Mr. Nand Kishore Prasad (App)

For the B.S.F.C. : Mr Awadhesh Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 17-08-2015

Heard both sides.

The petitioner seeks bail in a case registered for the offences punishable under sections 406, 409, 420/34 of the Indian Penal Code.

The B.S. F.C. has alleged that the petitioner lifted 2612 quintals of paddy in the financial year 2012-13 but the petitioner could not deposit any amount of rice after milling and thus, the petitioner is liable to pay a sum of Rs.37,89,816.62 P to the B.S.F.C.

It is submitted that the certificate case is pending for realisation of the aforesaid amount. The petitioner has also mortgaged his immovable property of more than the amount lying due against the petitioner and the State is at liberty to realize the

amount after auctioning the immovable property of the petitioner.

The petitioner is in jail since 19.04.2015 i.e. he has already remained in jail for about four months.

Considering the facts aforesaid and that the petitioner has already mortgaged his immovable property of the value more than the amount to be realised, let the petitioner above named be 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, Sitamarhi in connection with Dumra P.S. Case no. 91 of 2015.

(Prabhat Kumar Jha, J)

Amin/-

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