

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41295 of 2015

Arising Out of PS.Case No. -108 Year- 2015 Thana -SAUR BAZAR District- SAHARSA

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1. Raman Kumar Sah Son of Bandhu Sah, Resident of Village and Post Office- Ghailarh, District- Madhepura, Proprietor Sadbhauna Rice Mill, Belha, Vishwakarma Chowk (Chandaur S), Police Station- Sour Bazar, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar
2. District Manager, Bihar State Food and Civil Supplies Corporation Ltd. Saharsa

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha
For the Opposite Party/s : Mr. Pradip Nr.Kumar(App)

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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 406, 409 of the Indian Penal Code.

The petitioner lifted 9212.06 quintals of paddy and he had to deliver 6172.08 quintals of C.M.R. but he deposited only 3239.50 quintals of C.M.R. The petitioner did not deliver 2932.58 quintals of C.M.R. worth Rs. 63, 50, 679.00/-.

It is submitted that this is a case of breach of agreement between BSFC and the petitioner. Certificate case is also going on for realization of the aforesaid amount and no case of breach of trust is made out. The petitioner is in jail since

16.06.2015.

Considering the facts aforesaid and the fact that certificate is going on for realization of the amount, 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 Sri B. K. Singh, learned Judicial Magistrate, 1st class, Saharsa in Sour Bazar P.S. Case No. 108 of 2015.

(Prabhat Kumar Jha, J)

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