

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29875 of 2015

Arising Out of PS.Case No. -129 Year- 2015 Thana -HARSIDHI District-
EASTCHAMPARAN(MOTIHARI)

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1. Munna Prasad Son of Bishundeo Narain Prasad resident of village -
Dhawahi, Police Station Harsidhi, District - East Champaran

.... Petitioner/s

Versus

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

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Narayan, Sr. Advocate
Mr. Lalan Kumar Verma
For the Opposite Party/s Mr. Harendra Prasad (App)
For opposite party no.2 Mr. Awadhesh Kumar

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 31.07.2015 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with Harsidhi
P. S. case no. 129/2015 registered under sections 409 and 420 of the
Indian Penal Code.

Petitioner happens to be rice miller and accusation against
him is that he failed to supply rice as per agreement executed between
the parties.

The contention on behalf of the petitioner is that even if the
prosecution story assumed to be true, then also, it is case of breach of
agreement and moreover, amount in question has been disputed by the
petitioner and for realization of the aforesaid amount certificate case
has already been filed.

Considering the aforesaid facts and circumstances as well as submissions of the parties, in the event of arrest/ surrender within four weeks from the date of receipt of this order to the concerned court, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, East Champaran at Motihari in Harsidhi P. S. case no. 129/2015 subject to condition as laid down under section 438(2) of the Cr.P.C.

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(Hemant Kumar Srivastava,J)

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