

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33859 of 2015

Arising Out of PS.Case No. -68 Year- 2015 Thana -KUDRA District- BHABHUA (KAIMUR)

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Dev Nath Singh son of Rameshwar Singh resident of village - Jahanabad,
P.S. - Kudra , District - Kaimur at Bhabhua

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sumeet Kumar Singh, Advocate.

For the Opposite Party : Mr. Tapeswar Sharma (App)

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 01-10-2015 Heard both sides.

The petitioner seeks bail in a case registered for the offences punishable under Sections 409 and 420 of the Indian Penal Code.

The petitioner had lifted 11900.00 quintals of paddy and he had to deliver 7973.00 quintals of C.M.R. but he did not deposit the required C.M.R. and thereby he is alleged to have misappropriated a sum of Rs. 1,97,61,558.88/-.

It is submitted that the agreement was violated by the B.S.F.C. and not by the petitioner. The B.S.F.C. has already filed a Certificate Case bearing No. 4/14-15. The petitioner is in jail since 24.06.2015. The petitioner has already remained in jail for more than three months.

Learned counsel for the B.S.F.C. did not dispute the facts.

Having taken into consideration the fact that the Certificate Case bearing No. 4/14-15 is also pending for realization of the aforesaid amount and the fact that the petitioner is in jail for more than three months, the petitioner above named 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 the learned Chief Judicial Magistrate, Kaimur at Bhabhua in Kudra P.S. Case No. 68 of 2015.

(Prabhat Kumar Jha, J.)

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