

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52618 of 2015

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

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Sambhu Kumar Son of Ram Charitra Sah @ Ram Charitra Rai @ Ram
Chalitar Sah Resident of Village - Ward No. 24, P.O.- Suhriday Nagar
P.S.- Begusarai Town, District - Begusarai

.... Petitioner/s

Versus

1. The State of Bihar
2. The District Manager, Bihar State Food and Civil Supplies Corporation,
Sitamarhi, District - Sitamari

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sumeet Kumar Singh

For the Opposite Party/s : Nirmal Kumar

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 10-12-2015 Heard Sri Sumeet Kumar Singh, learned counsel for the

petitioner , Sri Damodar Prasad Tiwary, learned A.P.P. as well as

Sri Nirmal Kumar, learned counsel who has appeared on behalf of

the opposite party no. 2 / Bihar State Food and Civil Supplies

Corporation.

The petitioner who is in custody in connection Dumra
P.S. Case No. 91 of 2015 registered for the offence punishable
under Section 406/ 409/ 420/ 34 of the Indian Penal Code, has
prayed for grant of bail.

The petitioner is the mill owner and allegation against
the petitioner is that he misappropriated the amount against the
paddy. Huge amount of Rs. 36 Lakhs and odd has been

misappropriated. Primarily the court was not inclined to extend the privilege of bail. However, if the petitioner is ready to deposit 20% of the misappropriated amount as disclosed in the F.I.R., it can be extended the privilege of bail. The amount of 20% of misappropriated amount must be deposited with the opposite party no. 2 and only thereafter the petitioner shall be enlarged on bail. On fulfillment of the aforesaid condition, let the petitioner Sambhu Kumar be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamari, District Sitamarhi in connection with Dumra P.S. Case No. 91 of 2015 with further condition that during the trial the petitioner shall remain physically present with condition that one of the bailors must be blood relation of the petitioner and secondly on each and every date during the trial before the court below the petitioner shall remain physically present. If continuously on two dates he remains absent without prior permission of the trial court his bail bond shall stand automatically cancelled.

(Rakesh Kumar, J)

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