

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34982 of 2016

Arising Out of PS.Case No. -37 Year- 2015 Thana -UPHARA District- AURANGABAD

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1. GAYA PRASAD @ GAYA SAH son of Late Madina Prasad @ Maynu Sah, resident of Village- Uphara, P.S.- Uphara, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Bihar State Food and Civil Supplies Corporation, through the District Manager, District- Aurangabad.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sumeet Kumar Singh

For the Opposite Party/s : Mr. Sri Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 22-08-2016 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered under Sections-406 & 409 of the Indian Penal Code.

The accusation against the petitioner is that being rice mill owner, he lifted paddy but did not supply the rice of Rs. 67,66,038/- and accordingly, it is alleged that he defalcated the aforesaid amount.

Submission on behalf of petitioner is that due to some unavoidable circumstances, the aforesaid supply could not be made. Moreover, the petitioner had supplied part of the paddy and due to dispute of accountancy; the petitioner did not supply

the remaining rice. It is further submitted that moreover, having allegation of commission of offence of similar nature, some accused persons have already been granted privilege of bail either by this bench as well as different benches of this court.

Considering the above-said facts and circumstances of the case as well as submission of the parties, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Uphara P.S. Case No. 37 of 2015 to the satisfaction of learned Sub Divisional Judicial Magistrate, Daudnagar, Aurangabad.

(Hemant Kumar Srivastava, J)

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