

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51663 of 2016

Arising Out of PS.Case No. -160 Year- 2016 Thana -PURNEA SADAR District- PURNIA

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Sunil Kumar Jaiswal @ Sunil Jaiswal, Son of Late Ram Nath Jaiswal,
resident of Mohalla- Chandan Nagar, Gulab bag, P.S.- Sadar, District-
Purnea.

.... Petitioner/s

Versus

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

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar, Advocate
For the Opposite Party/s : Mr. Lalan Kumar, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 13-12-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner seeks bail in connection with Purnea Sadar
P.S. Case No. 160 of 2016 registered for the offence punishable
under Sections 406, 409 and 420 of the Indian Penal Code.

The prosecution case, as lodged by the District
Manager, Bihar State Food and Civil Supplies Corporation Ltd.,
Purnea, is that for Kharif year 2012-13, the rice, which was given
to the petitioner-rice mill, namely, Om Mini Rice Mill, a
partnership firm, 1607.17 quintals of rice worth Rs. 34,80,420.03
was not returned. One of the partners, Paras Jaiswal returned Rs.
18,54,400.00 and the remaining amount of Rs.16,26,020.03 has



not yet been returned, hence, petitioner along with his partner under conspiracy has embezzled the said amount.

It has been submitted by the learned counsel for the petitioner that more than 50% of the amount has already been deposited and a certificate case has also been lodged against the petitioner for the same offence. He submits that the charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, considering the nature of allegation and that the petitioner is in custody since 13.08.2016, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea in connection with Purnea Sadar P.S. Case No. 160 of 2016.

(Nilu Agrawal, J.)

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