

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.47784 of 2015

Arising Out of PS.Case No. -15 Year- 2015 Thana -ARA MUFFSIL District- BHOJPUR

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Bharat Rai @ Bharat Yadav son of Shiv Mangal Rai @ Shiv Mandin
Yadav, R/o village- Jamira, P.S.- Ara Muffasil, District- Bhojpur

.... Petitioner

Versus

State of Bihar & Anr.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. R.S.Choudhary (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 13-01-2016

Heard learned counsel for the petitioner and learned

A.P.P. representing the State.

The petitioner seeks bail in connection with Ara Muffassil P.S. Case No. 15 of 2015 registered for the offences punishable under Sections 420, 467, 468, 406 of the Indian Penal and Section of 7 of Essential Commodities Act.

The petitioner being rice miller was supplied 8,000 Quintal paddy and he was to hand over 5,360 Quintals rice to State Food Corporation, Bhojpur but he did not supply the same and misappropriated the same amounting to Rs. 1,32,85,081.60/-

Submission is of false implication and that the petitioner has supplied rice several times to B.S.F.C but no receipt was given resulting the loaded truck was returned, there was no safe place for storing the rice resulting due to rain the articles were damaged and several co-accused having more or less similar

allegation in other cases have been allowed bail and moreover, if the prosecution story assumes to be true then also it is only a case of breach of agreement.

Learned A.P.P. opposes the prayer of bail of the petitioner.

In the facts and circumstances stated above, considering the period of detention and further that charge-sheet has already been submitted and there is no chance of tampering with the prosecution evidence, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Ara Muffassil P.S. Case No. 15 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

siddharth/-

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