

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57423 of 2015

Arising Out of PS.Case No. -457 Year- 2015 Thana -MUZAFFARPUR SADAR District-
MUZAFFARPUR

Abhay Tiwary, Son of Late Ganga Tiwary, resident of Village-
Gopinathpur, P.S.- Baruraj, District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Yugal Kishore, Advocate

For the Opposite Party/s : Mr. Aditya Nr. Singh (App)

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 20-01-2016 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 420, 406, 504/506 of the Indian Penal Code.

As per the allegation, the petitioner had taken poultry feed worth Rs.7,23,050/- from the Agency of the informant, namely, Ayshar Enterprises, Muzaffarpur but had deposited only Rs.2 lacs, however, it is contended that it may be a breach of contract but it cannot be termed as breach of trust or cheating. That apart, the petitioner has also filed a complaint case no.1715/2015 before the Sub-Divisional Judicial Magistrate, West, Muzaffarpur which is pending for inquiry as the informant did not maintain the quality and did not return the damaged poultry feed

which was supplied by him.

Having regard to the facts and circumstances of the case, let the petitioner, namely, Abhay Tiwary be released on bail in the event of his arrest/surrender before the court below within a period of six weeks from today in connection with Muzaffarpur Sadar P.S. Case No.457/2015, on furnishing bail bond of Rs.10,000 (Ten Thousand Rupees) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Muzaffarpur subject to the conditions as laid down under sub-section (2) of Section 438 of the Code of Criminal Procedure.

(Dr. Ravi Ranjan, J)

V.K. Pandey/-

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