

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27957 of 2017

Arising Out of PS.Case No. -70 Year- 2016 Thana -BACHWARA District- BEGUSARAI

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1. Yamuna Prasad, son of Late Mishri Sao, Resident of Mohalla- Purani Bazar Near Block, P.S.- Lakhisarai, District- Lakhisarai, at present Proprietor, Lakhisarai Cold Storage, Chiranjivipur, P.S.- Bachhwara, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Shailendra Kumar -2, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 30-06-2017 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

Petitioner is languishing in custody for the offences punishable under Sections 406/407/420 of the Indian Penal Code.

The petitioner is proprietor of Lakhisarai Cold Storage, Chiranjivipur. The informant had put potato in the said cold storage and the allegation is that the petitioner sold away and misappropriated the price of the said potato.

Submission of the learned counsel for the petitioner is that in fact the informant had sold the potato to different persons by handing over the original receipt of deposit to



the purchaser. The said purchaser produced the receipt at the cold storage and potato was handed over to the said purchaser. All the original receipts of deposits are with the petitioner, which should have been with the informant.

Learned counsel for the informant opposed the prayer for bail.

Considering the aforesaid facts especially the fact that there is no prima facie material on record to substantiate the claim before the Civil Court and the petitioner cannot be compelled to remain in jail, hence, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.20,000/-(Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Judge-VII-cum-Additional Chief Judicial Magistrate-VI, Begusarai/Successor Court, in connection with Bachhwara P.S. Case No.70 of 2016, with condition that petitioner shall fully cooperate with the investigation and trial of the case, failing which the Court-below shall be at liberty to take steps for cancellation of the bail-bonds of the petitioner in this case.

(Birendra Kumar, J)

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