

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60639 of 2021

Arising Out of PS. Case No.-29 Year-2017 Thana- MADHEPURA COMPALINT CASE
District- Madhepura

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RABINDRA RAI @ RABINDRA RAY @ RAVINDRA RAY S/o SUBHASH
RAI R/o VILLAGE-KARAUTI BAZAR, P.S-UDAKISHUNGANJ,
DISTRICT-MADHEPURA.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Wakil Sharma Son of Late Kamleshwari Sharma Resident of Village-
Navtol, P.S.- Udakishunganj, District- Madhepura.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra
For the Opposite Party/s : Mr.Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 01-12-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 406 of the Indian Penal
Code.

As per the prosecution case, the complainant has
given 1079.75 quintal of paddy to the petitioner but petitioner
has delivered only 150 quintal CMR and 573.43 quintal CMR
remained due upon petitioner which has not yet been given to
the complainant in spite of several demands made by the
complainant, which is amounting to Rs. 13,10,860.98/-.

Learned counsel appearing for the petitioner submits
that petitioner is ready to deposit the aforesaid amount within a
period of ten months in four equal installments.



Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case, let the petitioner, above named, be released on provisional bail for a period of one year from the date of his release on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Udakishunganj, Madhepura in connection with Complaint case No. 29/2017, subject to condition that petitioner shall deposit Rs. 13,10,860.98/- in the court below within ten months from the date of his release in four equal installments and first installments shall be deposited within two months from the date of his release and subsequently rest of the installments shall be deposited, which shall be subject to final outcome of the case. If the petitioner deposits the aforesaid amount within ten months, provisional bail granted to the petitioner shall be confirmed by the court below and if he fails to deposit the aforesaid amount with the specified time, the prosecution shall be at liberty to take steps for cancellation of bail bonds of this petitioner.

BKS/-

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(Prabhat Kumar Singh, J)

