

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37446 of 2024

Arising Out of PS. Case No.-286 Year-2023 Thana- BIHIA District- Bhojpur

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Murli Dhar Singh @ Murlidhar Singh SON OF VIDYANAND SINGH R/O -
VILL - PAKRI, P.S - BIHIYA, DIST - BHOJPUR AT ARA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Shashank Shekhar, Advocate
For the State	:	Mr. Brajendra Nath Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 15-07-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 379, 420 and 406 of the Indian Penal Code.

3. As per prosecution case, informant is working as a line supervisor in ABIS Export Private Ltd., which is engaged in the business of poultry farm with the farmers on contract. It is alleged that on 28.09.2023, 2376 pieces of chicks were supplied to this petitioner along with 130 bags of poultry feed on contract. However, on 30.10.2023, this petitioner sold 2304 pieces of chicken worth Rs. 39,584/- and 13 bags of poultry feed worth Rs. 34,200/- without informing the informant. It is thus alleged that this petitioner unilaterally breached the contract.



4. It is submitted by learned counsel appearing on behalf of the petitioner that the petitioner has been falsely implicated in this case. From bare perusal of the F.I.R. it is apparent that the dispute between the parties related to breach of contract, for which the informant has got alternative remedies. None of the acts of this petitioner as alleged against him give rise to any criminal liability. However, it is further submitted that at this stage, without admitting his guilt, the petitioner is ready to deposit a part of the disputed amount amounting to Rs. 25,000/- (Rupees twenty five thousand).

5. Considering the aforesaid facts and circumstances, prayer for grant of anticipatory bail to the petitioner is allowed.

6. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-V, Bhojpur, Ara, in connection with Bihiya P.S. Case No. 286 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, along with the following terms and conditions:

A. At the time of furnishing bail-bond Rs. 25,000/- (Rupees twenty five thousand) shall



be deposited through cash in the *Nazarat* of the Civil Court, Ara.

B. The aforesaid payment shall be subject to the final outcome of the case.

7. It is made clear that without going into the merit of the case, the aforesaid order has been passed only for the purpose of grant of bail.

(Prabhat Kumar Singh, J)

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