

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63415 of 2024

Arising Out of PS. Case No.-62 Year-2024 Thana- CHERIYA BARIYARPUR District-
Begusarai

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Himanshu Kumar S/O Kamlesh Kumar @ Kamleshwari Paswan R/o village -
Cheria Bariarpur, ward no 16, P.S. - Cheria Bariarpur, District - Begusarai,
Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. S.K. Gulam Murtuja S/o S.K. Gulam Ambiya R/o vill - Kharkol, P.S. -
Khandghosh, Distt. - Purv Vardhman, W.B.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kuldeep Kumar, Adv.

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 01-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Cheria Bariarpur P.S.
Case No. 62 of 2024 dated 18.03.2024 registered for the
offences punishable under Sections 420 and 406 of the Indian
Penal Code.

3. As per the prosecution case, it is alleged that the
petitioner was given Broiler Chuza-2705, 175 bags of dana for
Chuzas and medicines. All the articles including the Chuzas
were costing around Rs. 4,86,996/-. As per the agreement, the



petitioner was expected to return the Chuzas after their growth to the company. When the field supervisor Amarnath Kumar went to pick up the Chuza from the poultry of the petitioner, he came to know that the petitioner had sold 2505 grown Chuzas to some other person.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner did not receive the feed B1 and B2 feed chicks weighing 1380 Kg and 1680 Kg. There is no receiving of the petitioner on the challan. There is no material to show that the petitioner received the items as claimed. The petitioner has no concern with the alleged offence. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 22.06.2024.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Begusarai in connection with Cheria Bariyarpur P.S.



Case No. 62 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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