

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29425 of 2015

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1. Dhiraj Kumar S/o Anand Kumar Singh, R/o Village- Harihar Ganj, P.O.
+ P.S.- Nasriganj, District- Rohtas

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashutosh Ranjan Pandey

For the Opposite Party/s : Mr. Ram Anurag Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 08-07-2015

Heard learned counsel for the petitioner and the state.

The present application has been filed for modification of order dated 28.4.2015 passed in Cr. Misc. No. 10473 of 2015 for extending the period of surrender.

The prosecution case is that the petitioner being rice miller was supplied 3053.60 quintals of paddy and under the agreement the petitioner was supposed to supply 2045.91.200 quintals of processed rice but the rice was not supplied. The Bihar State Food and Civil Supplies Corporation directed the petitioner to deposit the cost of paddy supplied at the rate of Rs.1580/- per quintal.

The petitioner was granted provisional bail by this court vide order dated 28.4.2015 passed in Cr. Misc. No. 10473 of 2015

on the readiness of the petitioner to deposit 30% of the total consideration amount of the paddy supplied.

It is submitted by learned counsel for the petitioner that the petitioner has deposited only part of the 30 % of the alleged due amount but undertakes to deposit 30% of the alleged due amount within three weeks.

Since the petitioner claims to have deposited Rupees Seven Lacs then the said amount will be deducted from the 30% of the alleged due amount.

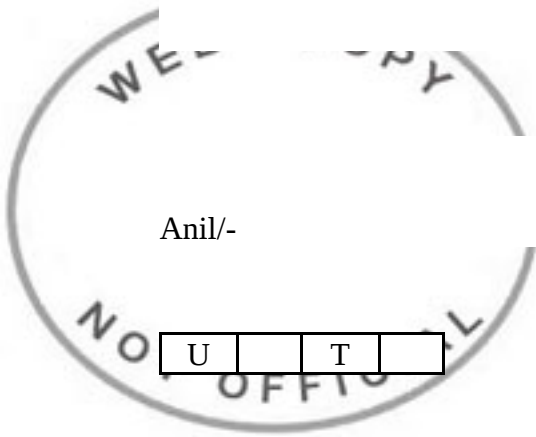
In the facts and circumstances of the case, the order dated 28.4.2015 passed in Cr. Misc. No. 10473 of 2015 is modified to the extent that the period of provisional bail of the petitioner is extended by four weeks from the date of receipt/production of a copy of this order before the learned court below in connection with Sahar P.S. Case No. 6 of 2015 pending in the court of the learned JM Ist Class, Bhojpur.

The provisional bail will be confirmed by the learned court below on verification of the fact that the petitioner has already deposited 30% of the alleged due amount.

The aforesaid order stands modified to the extent indicated above.

The modification application stands disposed of

accordingly.



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(Dinesh Kumar Singh, J)