

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43127 of 2015

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Kamlesh Pandey, S/o Late Rama Shankar Pandey, R/o village – Shivpur,
P.S. – Bihiyan (Sahpur), District – Bhojpur (Ara), Prop. – M/S. Baba
Barmeshwar Nath Mini Rice Mill, Purbain, P.S. –Barahmpur, District –
Buxar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Mohan Mishra

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 09-09-2015

The present application has been filed for
modification of order dated 20.05.2015 passed in Cr. Misc. No.
21036 of 2015, whereby petitioner was granted anticipatory bail in
connection with Brahampur P.S. Case No. 88 of 2015 registered
under Sections 406, 420 and 120B of the Indian Penal Code,
pending in the court of learned Chief Judicial Magistrate, Buxar
on submission of learned counsel for the petitioner that the
petitioner is ready to deposit 20% of the alleged due amount of
Rs.66,30,822/- for non-supply of the rice to the tune of 2165.66
quintals.

It is submitted by learned counsel for the petitioner that out of the 20% amount the petitioner has already deposited Rs.7,27,700/- and undertakes to deposit the rest of amount within a period of two months.

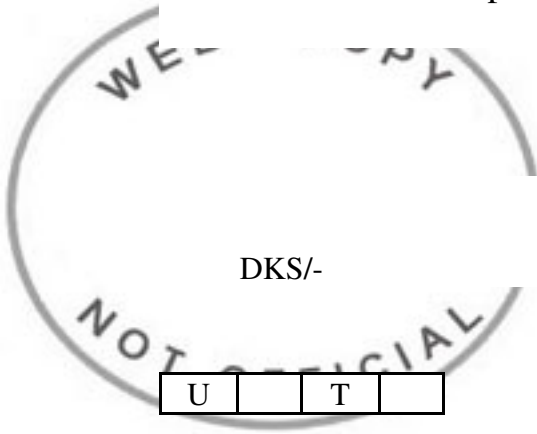
The learned counsel for the BSFC Mr. Shailendra Kumar Singh submits that he has no objection if the petitioner deposits the balance amount of 20% due amount within two months.

In view of the stand of the parties and the fact that in the earlier order time frame for deposit of 20% of the due amount was not incorporated, hence, the order dated 20.05.2015 passed in Cr. Misc. No. 21036 of 2015 is modified to the extent that the petitioner is permitted to deposit entire 20% of the alleged due amount which includes the amount already deposited within a period of two months. The period of furnishing bail bonds is extended by three weeks from the date of receipt/production of a copy of this order. The bail bond shall be provisionally accepted for a period of two months.

The bail bond shall be accepted finally if the petitioner deposits the 20% of the alleged due amount which includes the amount already deposited within a period of two months.

Accordingly, this modification application is

disposed of.



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(Dinesh Kumar Singh, J)