

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46358 of 2015

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Banke Bihari Yadav Son of Baidhyanath Yadav, resident of village-
Basantpur, P.S. Mainatand, District- West Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. U.L.Verma(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 30-09-2015

The present application has been filed for modification of order dated 11.08.2015 passed in Cr. Misc. No. 33116 of 2015 to the extent that the petitioner handed over the charge to the successor-in-office and statement to that effect has been made in paragraph 6 of the main petition.

The order dated 11.08.2015 was passed on submission of learned counsel for the petitioner that the petitioner has deposited Rs.36,000/- in the school bank account and submitted account of Rs.15,000/- while handing over the charge to the successor-in-office. But it is submitted that in paragraph no. 6 of the main petition it is mentioned that cash of Rs.36,000/- and the account of Rs.15,000/- was given to the successor-in-office, Munna Yadav.

Without going into the disputed question of fact the provisional bail of the petitioner is extended for further two months in connection with Mainatand P.S. Case No. 72 of 2014 pending in the court of learned Sub-divisional Judicial Magistrate, Bettiah, West Champaran.

Let the learned court below issue notice to Munna Yadav the petitioner's successor and if he admits receiving entire amount of Rs.51,000/- then the provisional bail of the petitioner will be confirmed by the learned court below otherwise the petitioner will surrender and pray for regular bail.

The order dated 11.08.2015 stands modified to the extent indicated above.

Accordingly, this modification application is disposed of.

(Dinesh Kumar Singh, J)

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