

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39665 of 2014

=====

Sanjay Prasad Yadav Son of Rudo Yadav @ Rudranarayan Yadav Resident
of Village - Gamharia, P.S. - Jhajha, District - Jamui.

.... Petitioner/s

Versus

The Union of India through Supt. of Police, C.B.I. A.C.B. Patna.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Prakash Mahto

For the Opposite Party/s : Mr. Bipin Kumar Sinha (SC CBI)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 24-06-2015

The present application has been filed for modification of order dated 17.05.2013 passed in Cr. Misc. No. 16122 of 2013 whereby petitioner was granted provisional anticipatory bail for six months in connection with Special Case No. 118 of 2011 arising out of RC 21A of 2011 registered for the offences punishable under Sections 420, 467, 471, 468 of the Indian Penal Code and Section 13(2) read with Section 13(i)(d) of the Prevention of Corruption Act, pending in the court of learned Special Judge, CBI-1st, Patna.

The accusation is of taking loan for purchase of tractor on the basis of forged land possession document.



On undertaking of the petitioner that he will deposit the loan amount along with up-to-date interest within a period of six months he was granted provisional anticipatory bail. The provisional bail was to be confirmed by the learned court below on deposit of entire loan amount along with up-to-date interest.

It is submitted by learned counsel for the petitioner that the petitioner could not furnish the bail bond since the petitioner is implicated in other criminal case, but now no dues certificate issued by the Gidhaur Branch of UCO Bank has been brought on record. The no dues certificate dated 26.12.2014 has been brought on record as Annexure-4 to the supplementary affidavit.

Considering the fact that the petitioner failed to comply the undertaking within stipulated time, this Court is not inclined to entertain the present modification application. But since it is claimed by the petitioner that the petitioner has deposited the entire amount and no dues certificate has been obtained, the learned court below may consider the prayer for regular bail of the petitioner, if the petitioner surrenders before the learned court below within a period of six weeks from today along with the certificate of the bank that he has deposited the entire

amount.

Accordingly, this application is disposed of.

(Dinesh Kumar Singh, J)

DKS/-

U		T	
---	--	---	--