

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11007 of 2016

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Bipin Bihari Singh Son of Late Ram Prasad Singh resident of village -
Diwane, P.S. Chand, District - Kaimur at Bhabua, Proprietor of Neha Mini
Rice Mill Diwane, Chand

.... Petitioner/s

Versus

1. The State of Bihar
2. Bihar State of Food Corporation, Bihar Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Adv.

For the Opposite Party/s : Mr. Rajendra Singh Shastri Jee(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 31-08-2016

The present application has been filed for modification of the order dated 23.7.2015 passed in Cr. Misc. No. 27734 of 2015 to the extent of extending the period of provisional bail and for extending the period of deposit of 20% of the alleged due amount.

The prosecution case is that under an agreement the petitioner being the rice millers was supplied 13626 quintals of paddy by the Kaimur Unit of the Bihar State Food and Civil Supplied Corporation during the agriculture season 2012-2013 in lieu thereof the petitioner was supposed to supply 9129.42 quintals of custom milled rice but he supplied only 5666.80 quintals of custom milled rice and failed to supply 3463.24 quintals of processed rice worth ₹65,90,995/-.

The petitioner was granted provisional anticipatory bail for a period of seven months on his undertaking to deposit 20% of the alleged due amount of ₹65,90,995/- through bank draft within a period of six months in six equal installments.

It is submitted by the learned counsel for the petitioners that though, the petitioner could not submit the bank draft of 20% of the alleged due amount within six months but now he has deposited the same and the bail bonds of the petitioner have not been cancelled till date, though, statement to that effect has not been made in the petition.

Mr. Shailendra Kumar Singh, learned counsel for the Bihar State Food & Civil Supplies Corporation has submitted that District Manager of Kaimur Unit of Bihar State Food & Civil Supplies Corporation has informed him that the petitioner has deposited 20% of the alleged due amount.

In the circumstances, the provisional bail of the petitioner is extended by 20th of September, 2016 in connection with Chand P.S. Case No. 27 of 2015, pending in the court of learned JM, 1st Class, Kaimur at Bhabua.

The provisional bail of the petitioner will be confirmed by the learned court below on filing proof by the petitioner with regard to deposit of 20% of the alleged due

amount.

Accordingly, the modification application is

disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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