

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20856 of 2016

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1. Khokha Yadav S/O- Bindeshwari Yadav, R/O- Vill.- Pathraha, P.S.-
Gailadih, District- Madhepura

2. Pintu Kumar Bhagat S/o Matar Bhagat, R/o vill- Bhagwanpur Khajury,
P.S.- Saur Bazar, Distt- Saharsa

.... Petitioner/s

Versus

1. The State of Bihar
2. The District Manager, State Food Corporation, Madhepura

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Singh, Adv.
For the Opposite Party/s : Mr. A.A.Khan(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 31-08-2016 The present application has been filed for

modification of the order dated 30.07.2015 passed in Cr. Misc.

No. 29839 of 2015 to the extent of extending the period of deposit

of undertaken amount and the period of provisional bail.

The prosecution case is that under an agreement the
petitioners being the rice millers were supplied 5821.60 quintals of
paddy by the Madhepura 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 3900.50 quintals
of custom milled rice but he supplied only 1890 quintals of custom
milled rice and failed to supply 2010.50 quintals of processed rice
worth ₹43,53,880/-.

The petitioner was granted provisional anticipatory bail for a period of six months on his undertaking to deposit 20% of the alleged due amount of ₹43,53,880/- through bank draft within a period of five months.

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 but now he has deposited the same and the bail bonds of the petitioners have not been cancelled till date, though, statement to that effect has not been made in the petition.

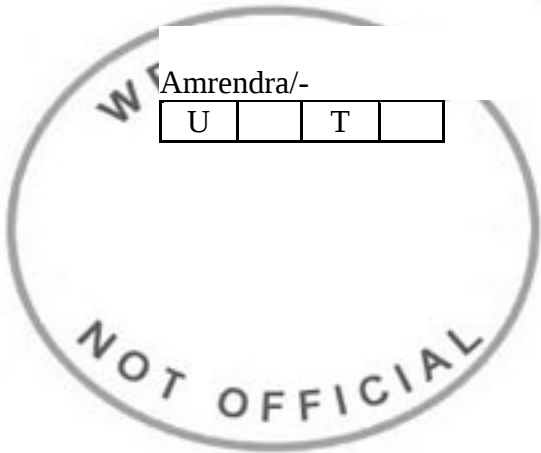
Mr. Prabhat Kumar Singh, learned counsel for the Bihar State Food & Civil Supplies Corporation has submitted that the petitioners have deposited 20% of the alleged due amount.

In the circumstances, the provisional bail of the petitioner is extended by 20th of September, 2016 in connection with Madhepura P.S. Case No. 236 of 2015, pending in the court of learned CJM, Madhepura.

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

Accordingly, the modification application is

disposed of.



(Dinesh Kumar Singh, J)