

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21571 of 2016
(Arising out of Cr.Misc. No.43364 of 2015)

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Badri Kumar Mittal @ Badri Mittal, Son of Shri Pawan Kumar Mittal,
resident of Pushp Vihar, Exhibition Road, P.O.-G.P.O., P.S.- Gandhi
Maidan, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. The Bihar State Food & Civil Supplies Corporation Limited, through its
Managing Director, Patna

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Suraj Samdarshi, Advocate
For the S t a t e : Ms. Rina Sinha(APP)
For the BSFC : Mr. Shailendra Kumar Singh, Advocate.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 17-08-2016 Heard learned counsel for the petitioner and the learned
counsel appearing on behalf of the BSFC. Learned counsel for
the State is also present.

The petitioner seeks modification of the order dated
10.11.2015 passed in Cr.Misc. No.43364 of 2015, by which the
petitioner has been directed to deposit 20% of the alleged
defalcated amount, which has not been deposited till date on
account of the fact that the petitioner has sought modification in
the main order itself.

Having heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the BSFC, I am not
satisfied that the amount as fixed in the order could be altered in

any manner. Accordingly, the petitioner is once again directed to deposit 20% of the alleged defalcated amount, which is Rs.4.39 crores. In view of the fact that this modification application has remained pending, let the petitioner deposit the same by 31st December, 2016, failing which the interim protection extended to the petitioner shall be automatically recalled.

It is made clear that any amount found to have been deposited by the petitioner in excess of Rs.1,62,00,000/- (One crore sixty-two lacs) shall be deducted after calculating 20% of Rs.4.39 crores to be deposited by the petitioner.

With the aforementioned modification in the order dated 10.11.2015 passed in Cr.Misc. No.43364 of 2015, the application stands disposed of.

(Anjana Mishra, J)

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