

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.42818 of 2016**

=====

Ratan Sarkar son of Late Manoranjan Sarkar resident of Village Tungi  
dighi, P.S.- Karendighi, District- Uttar Dinajpur/ Dinaganj (West Bengal).

.... .... Petitioner/s

Versus

1. The State of Bihar
2. The Bihar State Food and Civil Supplies Corporation Ltd. Patna.

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Mukesh Kumar Jha, Advocate  
For the Opposite Party/s : Mr. Dinesh Singh, APP

=====

**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

2      28-09-2016                      Heard learned counsel for the petitioner, learned  
  
counsel appearing on behalf of Opposite Party No.2 and the  
  
learned A.P.P. for the State.

This modification application has been preferred for  
modification of the order dated 17.08.2016 passed in Cr. Misc.  
No. 23464 of 2016 by which petitioner was granted anticipatory  
bail in connection with Araria P.S. Case No. 146 of 2016 pending  
in the Court of learned Chief Judicial Magistrate, Araria in the  
event of his surrender within a period of eight weeks from  
17.08.2016 on his undertaking that he will deposit 50% of Rs.  
64,57,545=00 i.e. the amount alleged to be due to opposite party  
no.2, within six weeks.

It has been submitted by the learned counsel for the



petitioner that after mustering all his resources, he has been able to pay Rs. 15,00,000=00 (Rs. Fifteen lacs) by cheque dated 09.09.2016. He prays that order dated 17.08.2016 passed in Cr. Misc. No. 23464 of 2016 be modified to the extent that 50% be reduced to 30% and the period of six weeks for depositing the said amount be extended accordingly. He also submits that as per accounting of the petitioner only Rs. 21,99,832=00 is due against him and as the Bihar State Food and Civil Supplies Corporation has not done proper accounting, such exorbitant dues is shown.

Having heard the parties, order dated 17.08.2016 passed in Cr. Misc. No. 23464 of 2016 is modified only to the extent that the period of six weeks granted for depositing 50% of Rs. 64,57,545=00 is extended by further four months from today since the petitioner had undertaken to deposit 50% of dues alleged.

However, since the petitioner has disputed the amount, which is alleged to be paid by him, let petitioner approach the Managing Director, Bihar State Food and Civil Supplies Corporation, Patna for proper accounting and petitioner shall deposit 50% of the amount as fixed after accounting between the petitioner and the Corporation, within the said period of four months as the amount and the period was fixed on the undertaking of the petitioner.

This modification application is, accordingly,  
allowed to the extent indicated above.

**(Nilu Agrawal, J.)**

Arjun/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|