

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1991 of 2016

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1. Shreekant Sharma S/o Late Shyam Narayan Sharma, Resident of
Village- Hati, P.S.- Kako, District- Jehanabad.

.... Petitioner/s

Versus

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

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shree Kant Pandey

For the Opposite Party/s : Mr. Shantanu Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-02-2016

The present application has been filed for
modification of the order dated 22.07.2015 passed in Cr. Misc.
No. 25833 of 2015.

The petitioner was granted provisional
anticipatory bail for five months on readiness of the petitioner
to deposit 20 percent of the alleged due amount of Rs.
1,96,67,616/- within a period of four months through bank
draft in favour of The Bihar State Food & Civil Supplies
Corporation, Patna after deducting rupees twenty lacs already
deposited and the provisional bail of the petitioner was to be
confirmed by learned Court below after deposit of the aforesaid
amount within a period of four months.

It is submitted by learned counsel for the
petitioner that petitioner has already deposited 20 percent of
the alleged due amount after deducting rupees twenty lacs

already deposited to the tune of Rs. 19,50,000/- on 04.12.2015.

Mr. Awadhesh Kumar Singh, learned counsel for the Bihar State Food & Civil Supplies Corporation admits that a draft of the alleged due amount has been deposited before the Court concerned.

It is expected from the Court concerned to release the above said draft in favour of the petitioner who will deposit the same before the Bihar State Food & Civil Supplies Corporation, Patna within 24 hours of the release of the draft and on filing of the proof that he has deposited the draft before the Bihar State Food & Civil Supplies Corporation and it has been encashed by the Corporation, the provisional bail of the petitioner will be confirmed by learned Court Below.

The order dated 22.07.2015 passed in Cr. Misc. No. 25833 of 2015 stands modified to the extent as indicated above.

It is expected that the whole exercise should be done within a period of two weeks.

Learned counsel for the Bihar State Food & Civil Supplies Corporation undertakes that within a week of receiving of the draft he will intimate to the Court concerned about the encashment of the same by filing an affidavit to that effect.

Accordingly the modification application is

disposed of in connection with Kako P.S. Case No. 52 of 2015,
pending in the Court of learned Chief Judicial Magistrate,
Jehanabad.

Shageer/-

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(Dinesh Kumar Singh, J)