

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28303 of 2016

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Sanjeev Kumar Rai son of Awadh Bihari Rai Proprietor of M/s Sri Ram Mini Rice Mill, resident of Village + P.O.- Taraon, P.S.- Nasariganj, District- Rohtas (Sasaram).

.... Petitioner

Versus

1. The State of Bihar.
2. The District Manager, Bihar State Food and Civil Supply Corporation, Rohtas at Sasaram.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Sumeet Kumar Singh, Advocate.
For the Opposite Parties : Mr. Kanhaiya Kishore, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 26-11-2016 Heard both sides.

The petitioner has filed this petition for modification of the order dated 06.10.2015, by which the petitioner was granted anticipatory bail.

It appears that vide order dated 06.10.2015, the petitioner was granted anticipatory bail on the undertaking that the petitioner would deposit 20 percent of Rs. 17,63,592.50/- within six months but the petitioner did not deposit 20 percent of Rs. 17,63,592.50/- within time and the petitioner deposited the amount after expiry of six months.

Learned counsel for the petitioner submits that the petitioner is on bail and his bail bonds have not yet been cancelled.

It appears that the order dated 06.10.2015 is, itself, clear that if the petitioner fails to deposit 20 percent of the aforesaid amount within six months the court below was directed to cancel the bail bonds of the petitioner but, I fail to understand the court below has not cancelled the bail bonds of the petitioner even after expiry of six months.

Considering the facts aforesaid and the fact that if the petitioner has already deposited the entire amount, the court below shall consider the prayer for regular bail of the petitioner sympathetically and, if the bail bonds of the petitioner have not been cancelled, the petitioner shall be allowed to remain on the same bail bonds.

With the aforesaid observations, this modification petition is disposed of.

(Prabhat Kumar Jha, J.)

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