

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50179 of 2016

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Chandan Prasad, son of Sri Jamuna Prasad, resident of Village-Sanichari,
New Basti, Police Station-Sanichari, District-West Champaran at Bettiah
and Proprietor of M/S-Bhagwati Rice Mill, Sanichari, Yogapatti
.... Petitioner/s

Versus

1. The State of Bihar
2. The Bihar State Food & Civil Supplies Corporation, through District
Manager, West Champaran at Bettiah

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj
For the Opposite Party/s : Mr. Sri Aditya Narayan Singh 1

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 30-11-2016 The present application has been filed for
modification of the order dated 22.09.2015 passed in Cr. Misc.
No. 37984 of 2015, whereby the petitioner being rice miller was
granted provisional bail for seven months in connection with
Yogapatti(Sanichari) P.S. Case No. 125 of 2015. The provisional
bail was to be confirmed by learned Court below on deposit of
20 percent of the alleged due amount through bank draft in
favour of the Bihar State Food & Civil Supplies Corporation
Limited, Patna.

It is submitted by learned counsel for the
petitioner that 20 percent of the alleged due amount was
deposited with one week delay, hence the provisional bail of the
petitioner was not confirmed by learned Court below. The bail
bond of the petitioner has still not been cancelled, though
statement to that effect has not been made in the petition.



Mr. Shailendra Kumar Singh, learned counsel for the Bihar State Food & Civil Supplies Corporation Limited submits that from the instructions received from the District Manager, West Champaran at Bettiah, the petitioner has deposited 20 percent of the alleged due amount.

In the circumstances, the order dated 22.09.2015 passed in Cr. Misc. No.37984 of 2015 is modified to the extent that the provisional bail of the petitioner is extended till 21st of December, 2016. Learned Court below will pass appropriate order for the confirmation of provisional bail of the petitioner on filing proof with regard to the deposit of 20 percent of the alleged due amount.

Accordingly the modification application is disposed of in connection with Yogapatty(Sanichari) P.S. Case No. 125 of 2015, pending in the Court of learned Sub-Divisional Judicial Magistrate, Bettiah, West Champaran.

(Dinesh Kumar Singh, J)

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