

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8769 of 2016

=====

Ran Vijay Kumar

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Radha Mohan Pandey

For the Opposite Party/s : Mr. P.N.Pandit (App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 10-03-2016

The present application has been filed for modification/recall of the order dated 16.12.2014 passed in Criminal Miscellaneous No.32185/2014 by which the order dated 08.07.2014 passed in Criminal Miscellaneous No.27270/2014 was modified by extending the period of surrender. The further prayer has been made for grant of anticipatory bail.

The learned counsel for the petitioner confines his prayer for extending the period for furnishing the bail bonds as the directed amount of fifteen lakhs rupees has already been paid to the Bihar State Food and Civil Supplies Corporation.

The petitioner being a rice miller misappropriated Custom Mill Rice supposed to supply in lieu of paddy supplied by the Bihar State Food And Civil Supplies Corporation. The total due amount calculated as Rs.42,15,471/- leading to registration of police case as well as initiation of certificate proceeding.



The petitioner preferred Criminal Miscellaneous No.27270/2014 with a prayer for anticipatory bail in connection with Mohania P.S. Case No.301/2013, registered for the offences punishable under sections 406 and 420 of the Indian Penal Code. The said application was disposed of by a Bench of this Court vide order dated 08.07.2014 on condition to deposit Rs.5,00,000/- within one week and Rs.10,00,000/- within one month of the order dated 08.07.2014 when the learned court below was to release the petitioner on anticipatory bail with liberty to learned court below to cancel the bail bond and take the petitioner into custody. The petitioner thereafter preferred Criminal Miscellaneous No. 32185/2014 for extending the period to deposit the money. The same was allowed extending the period of payment of rupees five lakhs within two months and rest ten lakhs rupees within a further period of four months.

It is submitted by learned counsel for the petitioner that the petitioner has already deposited the alleged due amount but not within the time, as a result the petitioner failed to furnish bail bonds.

Mr. Awadhesh Kumar, learned counsel representing the Bihar State Food and Civil Supplies Corporation admits that Rs.15,00,000/- has already been deposited by the petitioner.

Under the circumstances, the order dated 16.12.2014 passed in Criminal Miscellaneous No.32185/2014 is modified to the extent that let the period of furnishing the bail bond of the petitioner is extended by three weeks from the date of receipt/production of a copy of this order.

The order dated 16.12.2014 stands modified to the extent indicated above.

Rest of the conditions as stipulated in the above order will remain the same.

Accordingly, the modification application is disposed of in connection with Mohania P.S. Case No.301/2013, pending before the learned CJM, Bhabua.

(Dinesh Kumar Singh, J)

Ashwini/-

U		T	
---	--	---	--