

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12508 of 2016

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Din Dayal Choubey, son of Bimla Choubey @ Bimla Pati Choubey, R/v –
Ahirauli, P.S. – Industrial Area, Buxar, Distt – Buxar, Bihar, proprietor M/s
Maa Durga Mini Rice Mill, Ahirauli, Industrial Area, Buxar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Kumar, Adv.

For the Opposite Party/s : Mr. Binod Kr. 2(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 17-08-2016

Heard both sides.

The petitioner was granted anticipatory bail vide order dated 24.07.2015 on condition that petitioner would deposit 20% of Rs. 25,27,889/- within six months of this order, but due to typographical error only Rs. 27,889/- was typed therefore, B.S.F.C. did not receive the amount. In para 3 of the aforesaid bail order Rs. 27,889/- would be corrected as Rs. 25,27,889/- and the petitioner be directed to deposit 20% of the aforesaid amount within one month from today.

This modification petition is filed for making correction in the order dated 24.07.2015 passed in Cr. Misc. 28096/2015. It is submitted that in para 3 of bail order instead of Rs. 25,27,889/- only Rs. 27,889/- was typed and therefore, petitioner could not

deposit 20% of the aforesaid amount within six months from the date of order. It is submitted that petitioner is on bail.

It appears that due to typographical error instead of Rs. 25,27,889/-, only Rs. 27,889/- was typed. The bail bond of the petitioner even after lapse of more than six months has not yet been cancelled due to non-compliance of the order dated 24.07.2015. Let the same be corrected and the petitioner is directed to deposit 20% of Rs. 25,27,889/-, within one month from the date of this order failing which Chief Judicial Magistrate, Buxar is directed to cancel the bail bond of the petitioner.

Accordingly, this modification petition is allowed.

(Prabhat Kumar Jha, J.)

Vinita/-

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