

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23058 of 2016

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Siya Ram Singh

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Sunil, Advocate

For the Opposite Party/s : Mr. S.Dayal(App)

For the BSFC Mr. Niraj Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 20-07-2016

Heard.

Let the last portion of the second last paragraph of the order dated 17.07.2015 passed in Criminal Miscellaneous No.25836/2015 be treated modified to the extent that the provisional bail of the petitioner will be confirmed by the learned Court below on submission of draft of 20% of alleged due amount within a period of "**seven months**" in stead of "**six months**".

The present application has been filed for modification of the order dated 17.07.2015 passed in Criminal Miscellaneous No.25836/2015 for extending the period of provisional bail.

The prosecution case is that under an agreement the petitioner being rice miller was supplied 15158.20 quintals of paddy by the Kaimur unit of the Bihar State Food and Civil



Supplies Corporation Ltd. during the agriculture session 2011-12 in lieu thereof he was supposed to supply 67% of the quantity of paddy supplied to the tune of 10155.99 quintals of custom milled rice. The petitioner supplied only 6171 quintals of custom milled rice but failed to supply 3984.99 quintals of processed rice worth Rs.75,33,954/-.

The petitioner was granted provisional bail for eight months in connection with Ramgarh P.S. Case No.121/2015, registered for the offences punishable under sections 409 and 420 of the Indian Penal Code, pending before the learned CJM, Kaimur at Bhabhua, on the readiness to deposit bank draft of 20% of the alleged due amount within a period of seven months in favour of The Bihar State Food and Civil Supplies Corporation, Patna. The provisional bail was to be confirmed by the learned court below on submission of bank draft of 20% of the alleged due amount within a period of seven months.

It is submitted by learned counsel for the petitioner that the petitioner has deposited the 20% of the alleged due amount which comes to the tune of Rs.15,10,000/- but within the period of nine months in stead of the period of seven months, as granted by this Court.

Mr. Neeraj Kumar, learned counsel for the Bihar

State Food and Civil Supplies Corporation Ltd. admits that the petitioner has deposited 20% of the alleged due amount within a period of nine months.

Under the circumstances, let order dated 17.07.2015 passed in Criminal Miscellaneous No.25836/2016 be further modified to the extent that the provisional bail of the petitioner is extended by 30th August, 2016.

Let the learned court below pass appropriate order with respect to confirmation of provisional anticipatory bail of the petitioner on submission of proof within a period of four weeks with regard to deposit of 20% of the alleged due amount.

Accordingly, the modification application is disposed of.

(Dinesh Kumar Singh, J)

Ashwini/-

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