IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25595 of 2016

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1. Narendra Singh, Son of Late Tarkeshwar Singh, residents of village- Bhatauli, Police Station- Nawanagar, District- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar
2. The District Manager, Bihar State Food and Civil Supplies Corporation, District- Buxar.

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Parijat Saurav
For the Opposite Party/s : Mr. Sri Narendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 13-07-2016 The present application has been filed for modification of the order dated 16.02.2016 passed in Cr. Misc. No. 6860 of 2016 for extending the period of provisional bail as well as the period of submission of the draft of the undertaken amount.

The prosecution case is that Buxar unit of The Bihar State Food & Civil Supplies Corporation supplied 2000 quintals of paddy to the petitioner being rice miller during the procurement year 2012-13. In lieu thereof the petitioner was supposed to supply 1340 quintals of custom milled rice but petitioner supplied only 1078.709 quintals of processed rice and failed to supply 261.291 quintals of processed rice worth Rs. 5,65,842/-/-.

The petitioner was granted provisional anticipatory bail for a period of two months on readiness of the petitioner to deposit 20% of the alleged due amount of Rs. 5,65,842/- in two monthly equal installment through bank

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draft in favour of the Bihar State Food & Civil Supplies Corporation, Patna which was to be confirmed by learned Court below on deposit of the 20% of the alleged due amount of Rs. 5,65,842/- within a period of two months.

It is submitted by learned counsel for the petitioner that the draft of the undertaken amount could not be submitted within the stipulated period but now the draft has already been submitted.

Miss Aishwarya, learned counsel for the Bihar State Food & Civil Supplies Corporation does not controvert the submission of the counsel for the petitioner.

In the circumstances, the order dated 16.02.2016 passed in Cr. Misc. No. 6860 of 2016 is modified to the extent that the learned Court below will pass appropriate order for the confirmation of the provisional bail of the petitioner on filing affidavit by the petitioner that petitioner has submitted a draft of 20% of the alleged due amount of Rs. 5,65,842/-.

The period of provisional bail is accordingly extended.

Accordingly the modification is disposed of in connection with Nawanagar P.S. Case No. 204 of 2015, pending in the Court of learned Chief Judicial Magistrate, Buxar.

(Dinesh Kumar Singh, J)

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