

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29672 of 2016

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1. Sudarshan Singh, S/o Sri Ram Singh, R/o Vill Batawan, P.O. Ramchandra Nagar, P.S. Jamhore, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

2. Dharmendra Kumar Singh, S/o Babu Lal Singh, In charge Purchase Centre, Bihar State Food & Civil Supplies Corporation Ltd., Aurangabad (Bihar)

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-07-2016

The present application has been filed for modification of the order dated 02.07.2015 passed in Cr. Misc. No. 26095 of 2015 for extending the period of confirmation of the provisional anticipatory bail.

The petitioner was granted provisional anticipatory bail for a period of six months under Sections 406, 409 and 420 of the Indian Penal Code.

The prosecution case is that Aurangabad Unit of Bihar State Food and Civil Supplies Corporation supplied 5000 quintals of paddy to the petitioner.

In lieu the petitioner was supposed to supply 3350 quintals of processed rice but the petitioner supplied only 1890 quintals of processed rice and failed to supply 1460 quintals of processed rice worth Rs. 31,61,718/-.

The petitioner was granted provisional anticipatory bail for six months on deposit of the 20% of the alleged due amount within a period of five months. The learned court below on submission of bank draft of the 20% of the alleged due amount will confirm the provisional bail of the petitioner.

It is submitted by the learned counsel for the petitioner that petitioner has deposited 20% of the alleged due amount within a period of nine months in stead of five months.

Mr. Adita Prakash Narayan, learned counsel for the Bihar State Food And Civil Supplies Corporation Limited admits that 20% of the alleged due amount has been deposited through bank draft.

Under the circumstances, the period of provisional anticipatory bail of the petitioner is extended by 22nd of August, 2016.

It is expected from the learned court below to pass appropriate order for confirmation of the provisional anticipatory bail of the petitioner on filing of the

proof with regard to submission of draft of 20% of the alleged
due amount within a period of four weeks.

P.K./-

(Dinesh Kumar Singh, J)

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