

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11242 of 2016

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1. Daya Shankar Singh S/o Late Maharaj Narayan Singh, resident of Village- Bhundi Tekari, P.S.- Mohania, District- Kaimur (Bhabhua).

.... Petitioner/s

Versus

1. The State of Bihar.
2. The District Manager, Bihar State Food and Civil Supplies Corporation Ltd., Kaimur at Bhabua.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Singh

For the Opposite Party/s : Mr. Manoj Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 17-05-2017

Heard learned counsel for the parties.

The present application has been filed for modification of the order dated 22.5.2015 passed in Cr. Misc. No. 22546 of 2015 to the extent that the petitioner may be permitted to deposit the undertaken 20% of the alleged due amount within a period of one week from the date of receipt/production of a copy of this order.

The petitioner preferred Cr. Misc. No. 22546 of 2015 with a prayer for grant of anticipatory bail in a case registered under sections 409 and 420 of the Indian Penal Code.

The prosecution case is that the petitioner being rice miller was supplied 6254.93 quintals of paddy in the financial



years 2012-13 and he was supposed to supply 4190.80 quintals of processed rice by 31.12.2014 but he could not supply 3380.80 quintals of processed rice worth Rs.73,21,325.25 and thereby misappropriated the said amount.

On submission of learned counsel for the petitioner that the petitioner is ready to deposit 20% of the due amount of Rs.73,21,325.25 before the concerned authority, the petitioner was directed to be released on anticipatory bail. Since the petitioner could not manage the amount within the stipulated time but he is ready to deposit the same.

Mr. Shailendra Kumar Singh, learned counsel for the BSFC has no objection to the deposit of the amount by the petitioner.

In the circumstances, if the petitioner deposits 20% of the due amount before the District Manager, Kaimur at Bhabua and submits the receipt of bank draft before the learned court below within a period of two weeks from the date of receipt of a copy of this order then the bail bonds of the petitioner will be accepted by the learned court below. The period of surrender of the petitioner is hereby extended by three weeks from today in connection with Mohania P.S. Case No. 152 of 2015 pending in the court of learned C.J.M., Kaimur at Bhabua. Other conditions



stipulated in the order dated 22.5.2015 shall remain the same.

The order dated 22.5.2015 stands modified to the extent indicated above.

Accordingly, the modification application is disposed of.

(Dinesh Kumar Singh, J)

Anil/-

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