

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.48534 of 2016

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Ram Lal Sah @ Pro. Sri Ram Lal Sah, Son of Manu Sah, resident of
Village- Nokhpura, P.S. Nawanagar, District Buxar.

.... Petitioner

Versus

1. The State of Bihar.
2. The Bihar State Food & Civil Supplies Corporation Ltd. Buxar.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Anil Kumar Singh, Advocate.
For the State : Mrs. Sahin Begum, A.P.P. 134.
For the B.S.F.C. : Mr. Shailendra Kumar Singh, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 22-02-2017 Heard learned counsels for the petitioner, State and

learned counsel for the B.S.F.C.

The petitioner was granted provisional anticipatory
bail vide order dated 06.07.2015, passed in Cr. Misc. No. 23694 of
2015 on the submission of learned counsel for the petitioner that
the petitioner is ready to deposit 20% of Rs. 1,04,22,255.88.00.
The provisional anticipatory bail of the petitioner was to be
confirmed by the learned court below only after deposit of the said
amount with Bihar State Food & Civil Supplies Corporation
within a period of eight months.

A modification application was filed on behalf of the
petitioner being Cr. Misc. No. 12515 of 2016 for extending the



period for depositing the amount in question from eight months to another six months which was allowed on 30.03.2016 and the petitioner was granted an extension of another six months for depositing the amount in question from the date of receipt/production of copy of the order.

After the lapse of the extended period, the present modification application has been filed on behalf of the petitioner seeking modification in the earlier provisional anticipatory bail order dated 06.07.2015, passed in Cr. Misc. No. 23694 of 2015, praying for extension of period for deposit of 20% of the amount in question by the petitioner. On query by this Court regarding the deposit of 20% of the amount in question, it has been submitted that the said amount has not yet been deposited by the petitioner.

Considering the aforesaid fact, I find no valid reason to grant any further extension of time to the petitioner. The provisional anticipatory bail granted to the petitioner vide order dated 06.07.2015, passed in Cr. Misc. No. 23694 of 2015 application, in connection with Koransarai P.S. Case No. 25 of 2015, pending in the court of learned Chief Judicial Magistrate, Buxar, stands cancelled/vacated as he has failed to comply with of his own submissions/undertaking.

The present modification application is, accordingly,



dismissed.

If the petitioner surrenders in the court below within a period of four weeks and deposits the amount in question, the same shall be considered on its own merit without being prejudiced by the order of this Court.

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(Sudhir Singh, J)

