

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27714 of 2016

=====

Madhusudan Dubey

.... Petitioner

Versus

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

.... Opposite Parties

=====

Appearance :

For the Petitioner : Mr. Madan Jeet Kumar, Advocate.
For the State : Mr. A. Dayal (App)
For the B.S.F.C. : Mr. Shailendra Kumar Singh, Advocate.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

6 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 03.09.2015, passed in Cr. Misc. No. 24430 of 2015 on the submission/undertaking of learned counsel for the petitioner that the petitioner is ready to deposit 20% of Rs. 27,95,932.86.00 within a period of nine months. 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.

The present modification application has been filed on behalf of the petitioner seeking modification in the earlier provisional anticipatory bail order dated 03.09.2015, passed in Cr.



Misc. No. 24430 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 extension of time to the petitioner. The provisional bail granted to the petitioner vide order dated 03.09.2015, passed in Cr. Misc. No. 24430 of 2015 and interim order dated 20.07.2016 passed in the present modification application i.e., Cr. Misc. No. 27714 of 2016 in connection with Jagdishpur P.S. Case No. 60 of 2015, pending in the court of learned Judicial Magistrate, Ara, stand 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.

U.K./-

U		T	
---	--	---	--

(Sudhir Singh, J)

