

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8353 of 2018

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Suryadev Singh @ Surajdeo Singh, son of Shri Chandeshwar Singh, r/o
village Berhauna, P.S. Sakurabad, Distt. Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Bihar State Food Corporation

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate.
For BSFC : Mr. Shailendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Madan Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 28-02-2018

Heard learned counsel for the petitioner and the State.

Supplementary affidavit filed on behalf of the petitioner
today in Court be kept on the record.

This application has been filed for modification of the
order dated 15.01.2018 passed in Cr. Misc. 38867 of 2017

Prayer for anticipatory bail of petitioner was earlier
disposed off by order of this Court dated 15.01.2018 passed in Cr.
Misc. 38867 of 2017 by which the petitioner was directed to furnish
Bank Guarantee for the amount of loss as alleged in the written report,
within a period of four weeks,

Learned counsel for the petitioner has submitted that
petitioner is a rural person. He finds difficulty in furnishing Bank
Guarantee. He is ready to make payment of the entire amount of loss to
the BSFC within a period of six months from the date of receipt of this
order. It has further been submitted that he has deposited some amount
in the Bank account of Ratni Faridpur PACS as well as Sesamba PACS.



He has enclosed the statement of accounts as Annexure-3 to supplementary affidavit in support of such deposit.

The BSFC will look into the genuineness of Annexure-3 and in the event the same is found correct, then necessary adjustment will be made by the BSFC.

This modification application is allowed with direction to petitioner to surrender in the court below within a period of six weeks from the date of receipt/production of a copy of this order with affidavit that he will deposit the entire dues of the BSFC within a period of six months from the date of his release and in that event he will be released on provisional anticipatory bail for a period of six months on furnishing surety to the satisfaction of the court below.

It is made clear that in the event the petitioner does not deposit the amount of loss as mentioned in the written report within the period of six months from the date of his release, the provisional anticipatory bail will not be confirmed and the bail bonds of the petitioner will be cancelled by the court below.

Let this order be communicated to the Chief Judicial Magistrate, Jehanabad, in connection with Shakurabad P.S. Case No. 77 of 2017.

(Sanjay Priya, J)

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