

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.6 of 2018

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1. Sheo Kumar Sharma son of Sri Dina Nath Sharma Prop. M/S Shiv Shakti Rice Mill, Resident of Village Aira, P.S. Shakurabad, Dist - Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar.
2. District Manager, B.S.F.C. Jehanabad.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjan Kumar Sharan
For the Respondent/s : Mr. Sri Chandra Bhushan Prasad

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 06-02-2018

I.A. No. 79 of 2018

This is an application seeking condonation of delay of 94 days in preferring the present revision petition.

For the reasons stated in the application, the delay of 94 days is condoned.

The application is allowed.

The petitioner has challenged the order dated 17.06.2017 passed by the learned Sub-Divisional Judicial Magistrate, Jehanabad in Shakurabad P.S. Case No. 40 of 2015 corresponding to Tr. No. 1204, G.R. No. 818 of 2015 whereby the bail bonds of the petitioner has been cancelled and non-bailable warrants have been issued against him.

From the records, it appears that the petitioner was



granted provisional anticipatory bail by a Bench of this Court on 13.07.2015 passed in Cr. Misc. No. 23121 of 2015, subject to the condition that the petitioner would undertake to submit bank draft of 20 per cent of the alleged due amount within a period of eight months in favour of B.S.F.C., Patna. The aforesaid amount was deposited by the petitioner after lapse of eight months. The petitioner again filed a petition before the High Court for modification of the order dated 13.07.2015 passed in Cr. Misc. No. 23121 of 2015 for extending the period of deposit of 20 per cent of the amount. On such an application, a Bench of this Court confirmed the provisional bail in the light of the order dated 21.09.2016 passed by this Court. However, later, the matter went to the Supreme Court where all the orders were modified and the accused persons were directed to furnish bank guarantee within a period of one month and failing to do so would entail cancellation of the bail bonds. In case, any amount was deposited by an accused, it was directed to be adjusted in the amount of the bank guarantee.

No bank guarantee has been furnished by the petitioner till date and no explanation also has been offered for such non-compliance of the order of this Court.

Considering the aforesaid facts, the court of the



learned Sub-Divisional Judicial Magistrate, Jehanabad, as directed by the Supreme Court, has cancelled the bail bonds of the petitioner and has issued non-bailable warrants against him.

This Court finds no fault with the order.

The petition, therefore, is dismissed.

(Ashutosh Kumar, J)

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