

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29830 of 2018

Arising Out of PS.Case No. -78 Year- 2017 Thana -PALIGANJ District- PATNA

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Om Prakash Sharma, Son of Ramtawakya Singh, Resident of Village-Siyarampur, P.S. Paliganj, Distt. Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Chairman, Bihar State Food Corporation, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Karna, Advocate.
For the BSFC : Mr. Harish Kumar, Advocate.
For the Opposite Party/s : Mr. Murlidhar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 16-05-2018 Heard learned counsel for the petitioner, learned counsel for the BSFC and the State.

This application has been filed for modification of the order dated 24.01.2018 passed in Cr. Misc. 43135 of 2017.

Learned counsel for the petitioner has submitted that in compliance of the order of this Court dated 14.01.2018 passed in Cr. Misc. 43135 of 2017, petitioner has prepared Demand Draft of the amount as shown in Annexure C1 of the counter affidavit filed in the original anticipatory bail application, in favour of the informant and other two farmers but they are not receiving the Demand Drafts. Therefore, the petitioner could not produce valid receipt and surrender before the court below within stipulated



time.

In such circumstances, this modification application is allowed to the extent that time for surrender of the petitioner in the court below is extended for further four weeks from the date of receipt/production of a copy of this order. If the petitioner surrenders in the court below, he will be released on same terms and conditions as mentioned in the order dated 24.01.2018 passed in Cr. Misc. 43135 of 2017. The petitioner is directed to surrender before the court below along with the Demand Draft of the amount as shown in Annexure-C1 of the counter affidavit in favour of the informant and other two farmers and in the event they do not receive the Demand Draft from the petitioner, the petitioner will deposit the Demand Draft in the court below. The court below will hand over the same to the informant and farmers after issuing notice to them.

Let this order be communicated to the Court of Additional Sessions Judge-V, Patna, in connection with Paliganj P.S. Case No. 78 of 2017.

(Sanjay Priya, J)

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