

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12664 of 2019

In
CRIMINAL MISCELLANEOUS No.47382 of 2017

Arising Out of PS. Case No.-215 Year-2016 Thana- SHIVSAGAR District- Rohtas

PRITHVI NARAYAN SINGH Son of Kulbansh Singh R/o village- Morkup,
P.O- Naad, P.S- Baddi (Seosagar) District- Rohtas (Sasaram)

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Bihar State Food and Civil Supplies Corporation through the M.D.,
Bihar at Patna Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sumeet Kumar Singh, Adv.
For the Opposite Party/s : Mr.Nirmal Kumar, Adv. (BSFC)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 04-12-2019 Heard learned counsel for the Modification-petitioner

and learned counsel for the Bihar State Food and Civil Supplies

Corporation.

The present modification application has been filed

for modification of the order dated 16.10.2017 passed in Cr.

Misc. No. 47328 of 2017 by which this Court while granting

the prayer for bail had directed in the following terms :-

“Let the petitioner above named be
released on bail provisionally for a period of six
weeks on furnishing bail bond of Rs. 10,000/-
with two sureties of the like amount each to the
satisfaction of CJM, Sasaram in Seosagar P.S.
Case No. 215 of 2016 on condition that along
with the bail bonds he shall produce
receipt/document showing payment of Rs. Two
lakh in the office of the informant or



appropriate authority of the government. Before expiry of the period of provisional bail, the petitioner shall produce receipt/document showing further deposit of Rs. Two lakh whereafter the learned trial court shall confirm the bail of the petitioner.

Be it noted, such deposit made by the petitioner shall be without prejudice to his right and contention in the pending case.”

It appears that despite lapse of two years, the petitioner has not taken any positive steps for payment of even the first installment of Rs. Two Lakhs which he was required to pay at the time of filing of his bail bonds and that this Court had clearly directed for payment of further two lakhs before expiry of the six months for which he has been released provisionally but the petitioner has not paid the same.

In view of the aforementioned and also as submitted by learned counsel appearing on behalf of the BSFC that the petitioner is habitual offender and is also implicated in other case, I am not inclined to allow this modification application. It is, accordingly, dismissed.

(Anjana Mishra, J)

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