

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13141 of 2019**

**In
CRIMINAL MISCELLANEOUS No.2565 of 2019**

Arising Out of PS. Case No.-33 Year-2018 Thana- KHUDWA District- Aurangabad

Chandan Kumar Singh @ Chandan Kumar, aged about 21 years, Male, Son of
Bijendra Singh, Resident of Village Bichaha, P.S. Khudwan, District
Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajendra Singh
For the Opposite Party/s : Mr.Surendra Kumar

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER**

2 01-05-2019 Heard Mr. Rajendra Singh, the learned counsel

appearing on behalf of the petitioner and the learned Additional

Public Prosecutor for the State.

Petitioner has filed this modification petition to
modify the order dated 23.01.2019, passed in Cr. Misc. No.2565
of 2019 by which the petitioner was granted anticipatory bail on
his undertaking that he was ready to deposit Rs.59,92,438/-.

Learned counsel for the petitioner submits that
Upendra Singh and Chandan Kumar Singh, the petitioner, who
were President and Manager of Malwa PACS alleged to have
defalcated Rs.59,92,438/- but only the petitioner was directed to
pay the entire amount said to have been defalcated. It appears



from the order itself that the petitioner had undertaken to deposit the entire amount, i.e., Rs.59,92,438/- by 30th of March, 2019 and on his undertaking he was granted anticipatory bail in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of the order on furnishing bail bond of Rs.25,00,000/- (twenty five lacs) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Daudnagar, District Aurangabad in connection with Khudwan P.S. Case No.33 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C. but the petitioner deposited only Rs.20,00,000/-. It is further submitted that the amount to be deposited by the petitioner should be reduced to 30,00,000/-.

I do not find any reason to modify the order dated 23.01.2019, passed in Cr. Misc. No.2565 of 2019 as the petitioner had undertaken to deposit the entire amount of defalcation.

Accordingly, the modification petition is dismissed.

(Prabhat Kumar Jha, J)

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