

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19164 of 2019

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Suryadeo Singh @ Surajdeo Singh Son of Shri Chandeshwar Singh, Resident
of Village-Badhauna, P.S.-Sakurabad, District-Jehanabad

... .. Petitioner

Versus

1. The State of Bihar through Principal Secretary, Cooperative Department,
Government of Bihar, Patna.
2. The Registrar Cooperative Societies, Bihar, Patna.
3. The Joint Registrar, Cooperative Societies, Division.
4. The Certificate Officer, District Certificate Branch, Jehanabad.
5. The S.H.O. P.S.-Shakurabad, Jehanabad.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr.Ansul, Advocate
For the Respondent/s : Mr.Syed Iqbal Ahmad (SC-20)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 13-11-2019 Learned counsel for the petitioner submits that the petitioner is ready to file an affidavit clearly stating the time frame within which he would pay the certificate amount. Learned counsel submits that for the present the petitioner is only praying for an ad-interim stay of the execution of warrant of arrest issued against the petitioner.

This Court is, however, not willing to grant any interim protection to the petitioner in view of the facts appearing from the record showing that in Cr. Misc. No. 8353 of 2018 while seeking anticipatory bail from this Court, this Court had allowed him interim protection on the condition 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. Admittedly the petitioner has failed to abide by the order passed by this Court in Cr. Misc. 8353 of 2018.

Learned counsel for the petitioner admits that the petitioner has availed the benefit of provisional anticipatory bail by virtue of order passed by this Court in Cr. Misc. No. 8353 of 2018. It is also admitted at the Bar that the subsequent application filed by the petitioner seeking modification of the order in Cr. Misc. No. 8353 of 2018 has already been rejected.

The certificate proceeding has been initiated for recovery of a sum of Rs. 44,34,203/- as back as on 12.08.2017. The petitioner is fully aware of the certificate case but has not filed his show cause despite putting his appearance in this case. Since the petitioner has not filed his show cause and in terms of the order passed by this Court in Cr. Misc. 8353 of 2018 the petitioner defaulted in making payment, the distress warrant has issued against him.

In view of the conduct of the petitioner as mentioned above, this Court is of the considered opinion that this writ



application is not fit to be entertained and no relief may be granted in the writ application. It is dismissed accordingly.

(Rajeev Ranjan Prasad, J)

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