

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8817 of 2020

Arising Out of PS. Case No.-44 Year-2019 Thana- UPHARA District- Aurangabad

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1. SHREE NIWASH SHARMA Son of Late Awadh Bihari Sharma Resident of Village- Aranda, P.O.- Gamhari, P.S.- Uphara, District- Aurangabad.
 2. Sudhendu Kumar Singh Son of Shree Niwash Sharma Resident of Village- Aranda, P.O.- Gamhari, P.S.- Uphara, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Bihar State Food and Civil Supply Corporation Ltd., Govt. of Bihar, Patna. Bihar, Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Santosh Kumar Pandey
For the State	:	Mr.Parmeshwar Mehta
For the BSFC	:	Mr. Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

- 2 26-08-2020 Heard Mr. Rama Kant Sharma, the learned senior counsel for the petitioner, the learned APP and the learned counsel for the BSFC.

The matter has been taken up through video conferencing.

The petitioners have filed this petition against the order dated 29.11.2019 passed by the learned Judicial Magistrate, Daudnagar in Uphara P.S. case No. 44/2019 by which the learned Judicial Magistrate cancelled the bail bonds of the petitioners on the ground that petitioners have violated the terms and conditions of the bail bonds and the order passed by the learned Additional Sessions Judge-VI, Aurangabad by not depositing first, second and third installments, which are Rs. 10,00000/-, Rs. 14, 80, 125/- and Rs. 14,80,125/-.



The learned senior counsel for the petitioners submits that on account of COVID 19 pandemic the petitioners could not be able to deposit first, second and third installments. The petitioners submitted a cheque of Rs. 10,00,000/- as first installment but the cheque could not be honoured. It is submitted that petitioners are ready to deposit the entire amount of Rs. 39,60,250/- within two months.

The learned counsel for the BSFC submits that the Corporation is interested in realizing the money.

In this view of the fact the order dated 29.11.2019 passed by the learned Judicial Magistrate, Daudnagar in Uphara Case No. 44/2019 is set aside and the bail bonds of the petitioners are extended for two months.

If the petitioners fail to deposit Rs. 39,60,250/- within 60 days from today the learned Judicial Magistrate shall cancel the bail bonds of the petitioners forthwith.

(Prabhat Kumar Jha, J)

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