

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13406 of 2020

In
CRIMINAL MISCELLANEOUS No.69760 of 2018

Arising Out of PS. Case No.-250 Year-2018 Thana- NAVINAGAR District- Aurangabad

Mantu Kumar Singh (M), aged about 45 years, S/o Dadan Singh, R/o Village-
Madhe, P.S.-Badem O.P., District-Aurangabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Ashok Kumar Singh, Advocate.

For the Opposite Party : Mr.Parmanand Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-02-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

The present application has been filed for modification of the order dated 28.01.2019, passed in Cr. Misc. No. 69760 of 2018, by which the petitioner was granted anticipatory bail in connection with Nabinagar (Badem O.P.) P.S. Case No. 250 of 2018, pending in the court of learned Chief Judicial Magistrate, Aurangabad with a condition to deposit of a sum of Rs. 46,93,219.35/- within a period of thirteen (13) weeks by the petitioner in the court below which shall be subject to final disposal of the case.

Learned counsel for the petitioner submits that as per the aforesaid order, the petitioner was to deposit an amount of



Rs. 46,93,219.35 in the learned court below but due to inadvertent mistake the same has been deposited in the account of Mahuawan PACCS. The following statements have been made in paragraph nos. 4, 5 and 6 of the present application.

“4. That it is stated here that in compliance of the order of this Hon’ble Court as contained in Annexure-1, the petitioner no. 1 Mantu Kumar Singh has deposited the total amount due on him regarding which a no due certificate has been issued by the Aurangabad District Central Co-operative Bank Limited branch Nabinagar. A copy of NOC is annexed herewith and marked as Annexure-2.

5. That it is stated here that presently no government money is due on Mahuawn Pacs or against the Pacs Chairman, Mantu Kumar Singh, petitioner herein.

6. That after payment of the dues amount the petitioner submitted NOC in the court below under the presumption that his bail has been confirmed & due to the aforesaid misunderstanding could not furnish his bail bond.”

Considering the aforesaid statements made in paragraph nos. 4, 5 and 6 of the present application as the amount in question has already been deposited by the petitioner in the official account of Mahuawan PACCS, petitioner is not required to deposit the said amount in the learned court below.

It is submitted that further time may be extended so that the petitioner could surrender in the court below and furnish bail bond.



Considering the statements made in paragraph nos. 4, 5 and 6 of the present application and the grounds mentioned in the modification application, the period of surrender of the petitioner in the court below is extended for a further period of six weeks from the date of receipt/production of a copy of this order.

The order dated 28.01.2019 passed in Cr. Misc. No. 69760 of 2018, is modified to the extent as indicated above.

Let this order be communicated to the learned court below through e-mail.

(Sudhir Singh, J)

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