

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36396 of 2021

In
CRIMINAL MISCELLANEOUS No.68376 of 2019

Arising Out of PS. Case No.-282 Year-2018 Thana- WARISLIGANJ District- Nawada

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DHARMENDRA PRASAD Son of Late Ramswaroop Singh Resident of
Village- Koachgaon, P.S.- Warsaliganj, District- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Managing Director, Central Cooperative Bank, Nawada, District-
Nawada. District- Nawada.
3. The Bihar State Food and Civil Supplies Corporation through the District
Manager, Nawada, District- Nawada.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sumeet Kumar Singh, Advocate
For the State	:	Mr. Nand Kishor Pd. A.P.P.
For the Bank	:	Mr. Bindhyachal Rai, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 22-09-2023 Heard learned counsel for the parties.

2. This petition has been filed for modification of
order dated 12.03.2021 passed in Cr. Misc. No. 68376 of 2019
to the extent of extension of period of surrender.

3. It is submitted that due to COVID, petitioner could
not deposit the alleged amount in the bank. However,
subsequently, petitioner has already paid the entire alleged
amount of defalcation to the bank and in this regard the
concerned bank has finally issued a No Objection Certificate
vide 3 letters (copies of NOC annexed as Annexure Nos. P/6,



P/6-A, P/6-B to the 2nd supplementary affidavit). Accordingly, learned counsel for the petitioner requests for necessary correction in the order.

4. Learned counsel for the bank does not dispute the contention made on behalf of the petitioner.

5. In view of aforesaid fact, in order dated 12.03.2021 passed in Cr. Misc. No. 68376 of 2019 is modified to the above extent and further four weeks' time is granted to the petitioner for furnishing bail-bond.

6. Modification petition is allowed.

(Prabhat Kumar Singh, J)

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