

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32910 of 2024

In
CRIMINAL MISCELLANEOUS No.28338 of 2023

Arising Out of PS. Case No.-19 Year-2017 Thana- C.B.I CASE District- Patna

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BASANT KUMAR S/O SHRI RAM PRASAD SAH R/O VILLAGE AND
P.O- KARJAIN BAZAR, BLOCK- RAGHOPUR, P.S- KARJAIN BAZAR,
DISTT.- SUPAUL, PROPRIETOR OF BASANT RICE MILL.

... .. Petitioner/s

Versus

CENTRAL BUREAU OF INVESTIGATION THROUGH
SUPERINTENDING OF POLICE, CBI, ACB, PATNA. BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Girijish Kumar, Advocate
For the C.B.I.	:	Ms. Nivedita Nirvikar, Sr. Advocate
For the Bank	:	Mr. Bindhyachal Rai, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 30-08-2024 Heard learned counsels for the parties.

2. This application has been filed for modification of the order dated 17.05.2023 passed in Cr. Misc. No. 28338 of 2023.

3. Earlier, vide order dated 23.06.2020 passed in Cr. Misc. No. 81339 of 2019, petitioner was granted anticipatory bail in connection with R.C. Case No. 19(A) of 2017 with a condition that he should deposit a sum of Rs. 2,00,00,000/- (Two crore rupees) in the concerned bank and show the receipt at the time of furnishing bail bond and thereafter, pay rest of the disputed amount with interest in the concerned bank in equal installments within a period of six months.



4. Thereafter, vide order dated 17.05.2023 passed in Cr. Misc. No. 28338 of 2023, petitioner's prayer for modification of order dated 23.06.2020 passed in Cr. Misc. No. 81339 of 2019 for extension of time was allowed and petitioner was granted further nine months' time to surrender before the learned trial court.

5. Subsequently, vide order dated 17.05.2024 passed in this case, petitioner gave an undertaking that he is ready to deposit a sum of Rs. 50,00,000/- (Fifty lakh rupees) to the bank within a period of eight weeks.

6. In view of the undertaking given by the petitioner, he was granted further eight weeks' time to deposit the amount and file a supplementary affidavit.

7. Today, learned counsel appearing on behalf of the petitioner submits that in spite of best efforts, petitioner could not deposit the sum of Rs. 50,00,000/- (Fifty lakh rupees) in the concerned bank. However, petitioner has deposited a sum of Rs. 21,00,000/- (Twenty-one lakh rupees) to the bank.

8. Considering the aforesaid facts and circumstances of the case, this modification application is rejected and order dated 23.06.2020 passed in Cr. Misc. No. 81339 of 2019, whereby petitioner was granted the privilege of anticipatory bail



in connection with R.C. Case No. 19(A) of 2017, is recalled.

(Prabhat Kumar Singh, J)

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