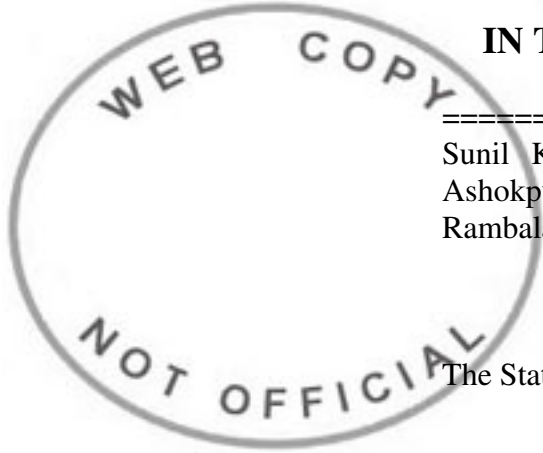




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22633 of 2016

=====

Sunil Kumar Srivastava S/o late Rajendra Prasad Resident of M.O-
Ashokpuri, Khazpura Devnandan Apartment Flat no. 202 House of
Rambalak Mahto PS Shastrinagar, District Patna Bihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sinha

For the Opposite Party/s : Mr. M.Haque(App)

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR
TRIVEDI
ORAL ORDER

2 28-06-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Vide Cr.Misc.No.12421 of 2016 (Annexure-1)
order dated 31.03.2016 petitioner was directed to avail the
opportunity in terms of Section 438 Cr.P.C. on the condition that
within four weeks from the date of passing of order petitioner
should deposit Rs.30,000/- while remaining Rs.21,000/- should be
deposited within further four weeks with a rigour that in case the
said amount is not deposited then, in that event, the order
impugned cease to survive.

On the grounds so enumerated in the petition, it has



been submitted on behalf of the petitioner that as he fallen ill consequent thereupon could not comply the order. Further submitted that the period be extended further more to four weeks within which petitioner will deposit the amount in one installment.

Learned Additional Public Prosecutor opposes the same.

Considering the submission, the period so described under order passed in Cr.Misc.No.12421 of 2016 is extended and, accordingly, paragraphs 3 and 4 thereof is amended in following way “on an undertaking at the end of the petitioner to deposit Rs.51,000/- in one installment within four weeks from the date of instant order and on being deposited, petitioner Sunil Kumar Srivastava will be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-9, Ara, in Sandesh P.S. Case No.2 of 2015 in the event of his arrest or surrender in terms of conditions so enumerated under Section 438(2) of Cr.P.C.”.

It is made clear that no further extension will be allowed.

The instant order be treated as a part and parcel of

the order dated 31.03.2016 passed in Cr.Misc.No.12421 of 2016.

Let the order be communicated upon the learned lower court through Fax at the cost of the petitioner which should be deposited within three days.

(Aditya Kumar Trivedi, J)

AnilKrSinha/-

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