

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39165 of 2016

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Santosh Kumar Son of Surendra Prasad Gupta Resident of Mohalla-
Jagdamba Asthan, P.O. Town G.P.O. Muzaffarpur, P.S. Muzaffarpur,
District Muzaffarpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Surendra Kishore Thakur, Advocate.

For the Opposite Party : Ms.. Anita Kumari, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 07-09-2016 Heard both sides.

The petitioner filed this petition for modification of the order dated 09.02.2015 passed in Cr. Misc. No. 34156 of 2014, by which the petitioner was granted anticipatory bail on his undertaking that out of Rs. 3,50,000/- he had taken loan from the complainant he has already returned Rs. 55,000/- by settling the accounts and he would return the remaining amount within six months.

It is submitted that the petitioner fell ill and, therefore, he could not return the entire amount within six months from the date of order. The petitioner has already handed over Rs. 2,65,000/- to the complainant within time and for the remaining amount i.e. Rs. 85,000/-, the petitioner has prepared draft to handover the complainant.

Let the draft of Rs. 85,000/- be handed over to the complainant on the next day fixed in the case. The Judicial Magistrate 1st Class, Muzaffarpur shall not cancel the bail bond of the petitioner in Complaint Case No. 411 of 2013 till the next date and if the petitioner hands over the draft of Rs. 85,000/- to the complainant the court below shall not cancel the bail bond of the petitioner.

Accordingly, this modification petition is allowed.

(Prabhat Kumar Jha, J.)

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