

Arjun K
Resident
resident
District

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Appeal

.... Petitioner/s

The State of Bihar

Appearance :

For the Opposite Party/s : Mr. Pranav Kumar(App)

3 28-07-2016 Learned counsel for the petitioner is permitted to
make correction in the name of the petitioner mentioned in para 13
of the petition.

At an earlier occasion provisional bail for a limited period of nine months was granted to the petitioner vide order dated 20.08.2014 under Cr.Misc. No.24629 of 2014, with a condition that during the midst thereof Rs.9,41,459/- be deposited before the learned lower court. As the said amount has already been deposited on account thereof, vide order dated 20.05.2015, the provisional bail was confirmed.

Now by way of present petition the learned counsel for the petitioner has submitted that the aforesaid amount be directed to be deposited under fixed deposit and to that extent the order dated 20.08.2014 passed in Cr.Misc.No.24629 of 2014 be modified.

Aforesaid prayer could not be entertained in the background of the fact that the amount Rs.9,41,459/- relates to the consideration money, registration fee, stamp duty incurred during course of registration. Apart from this, if the amount is directed to be deposited in the fixed deposit, it will borrow interest and that amount will be in addition to Rs.9,41,459/- which, admittedly, would be outside the purview of the present litigation and for that, the court would not entitled to retain the same.

Accordingly, prayer is rejected.

(Aditya Kumar Trivedi, J)

AnilKrSinha/-

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