

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39915 of 2014

In

Criminal Miscellaneous No. 22576 of 2014

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Amitabh Ranjan Son of Late Surendra Sharma, resident of 503B, Kaushilya Estate, Bandar Bagicha, P.S. - Kotwali, District - Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur
Mr. Dudh Nath Singh

For the Opposite Party/s : Dr. Rabindra Kumar, APP

For the Informant : Mr. Dayanand Singh

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 18-05-2016 Heard the parties including the learned counsel appearing on behalf of the informant.

The present application has been filed on behalf of the petitioner for modification of the order dated 02.08.2014 passed in Cr. Misc. No. 22576 of 2014 by this Bench, whereby the petitioner was granted bail in connection with Srikrishnapuri P.S. Case No. 74 of 2013, pending in the court of the learned Chief Judicial Magistrate, Patna with certain conditions indicated there in that order.

The learned counsel appearing on behalf of the petitioner submits that despite the aforesaid order dated 02.08.2014 passed by this Court granting bail to the petitioner in the aforesaid criminal case, he could not be released on bail, because he could not deposit the amount of Rs. 5,00,000/- (Rs. Five lacs), which was required to be deposited by the petitioner within a period of one month from the date of the aforesaid order

dated 02.08.2014. It is further submitted that now, the petitioner has arranged the amount of money and prepared to deposit Rs. 5,00,000/- (Rs. Five lacs) by cheque/ bank draft as the first instalment and thereafter he shall be depositing the subsequent instalments, as indicated in the aforesaid order dated 02.08.2014.

The learned Additional Public Prosecutor appearing on behalf of the State and the learned counsel appearing on behalf of the opposite party no.2 have submitted that if the petitioner deposits the aforesaid amount of Rs. 5,00,000/- (Rs. Five lacs), then the order dated 02.08.2014 may be appropriately modified and the date of deposit of money may be reasonably extended.

After having heard the parties and taking into consideration the reasons disclosed in the present petition, the prayer for modification is allowed. The order dated 02.08.2014 passed in Cr. Misc. No. 22576 of 2014 is modified only to the extent that if the petitioner deposits Rs. 5,00,000/- (Rs. Five lacs) by way of first instalment within a period of one month from today in the court below, then he shall be released on bail in terms of the aforesaid order dated 02.08.2014 passed in Cr. Misc. No. 22576 of 2014.

The present application stands finally disposed of with the modification to the extent indicated in the aforesaid order dated 02.08.2014 passed in Cr. Misc. No. 22576 of 2014.

(Birendra Prasad Verma, J)

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