

**THE HON'BLE SRI JUSTICE SURESH KUMAR KAIT**

**CRIMINAL PETITION No.15686 OF 2016**

**ORDER:**

Vide the present petition, the petitioner/Accused No.3 seeks modification in the order in CrI.M.P.No.6248 of 2016, dated 01.09.2016 on the file of the Additional Judicial Magistrate of First Class, Vizianagaram.

Whereby, the learned Magistrate, Vizianagaram passed order, which reads as under:

*“ In the result, the petitioners/A.2 and A.3 are ordered to be released on executing personal bond of Rs.10,000/- each with two solvent local sureties for like sum each and solvency certificate shall be issued by Officer not below the rank of Mandal Revenue Officer and on condition that petitioners/A.2 & A.3 have to appear before the SHO, I Town Police Station, Vizianagaram on every Tuesday and Thursday in between 10.00 a.m., to 1.00 p.m. and sign in concerned registered in token of visiting without fail, for a period of one month or till filing of charge sheet whichever is earlier. Accordingly, the petition is allowed.”*

Learned counsel appearing on behalf of the petitioner submits that the petitioner hails from Kolkatta and cannot have the solvency certificate. Therefore, without this condition, he may be released.

Learned counsel has agreed, on instructions from the petitioner that instead of solvency certificate, the petitioner shall deposit an amount of Rs.50,000/- in a Nationalized

Bank and furnish two sureties i.e., one local surety and one surety from his native place.

I find force in the submissions of learned counsel for the petitioner.

Keeping in view the facts recorded above, I hereby modify the order that the petitioner shall be released on bail on his executing a personal bond of Rs.10,000/- (Rupees ten thousand only) with two local sureties and Rs.50,000/- (Rupees fifty thousand only) in the form of FDR, which shall be invested into renewal mode and same shall be released after trial.

I further modify the said order that as the charge sheet is at the advanced stage, the petitioner need not appear before the SHO concerned on every Tuesday and Thursday. However, he shall remain present as and when called by the Investigating Officer concerned for the purpose of investigation till filing of the charge sheet.

With the above direction, this Criminal Petition is allowed. No costs.

Miscellaneous Petitions, if any pending, shall stand closed.

**JUSTICE SURESH KUMAR KAIT.**

Date: 28-10-2016  
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