

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37560 of 2017

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1. Santosh Kumar Rai @ Santosh Kumar son of Pachu Rai resident of village - Devkali, P.S. Mohania, District - Bhabua (Kaimur).

.... Petitioner/s

Versus

1. The State of Bihar.
2. Subhash Chandra Gupta son of Jai Shankar Prasad resident of village Upari, P.S. Ramgarh, District - Kaimur (Bhabua).

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sumeet Kumar Singh

For the Opposite Party/s : Mr. Sri Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 30-08-2017

The present application has been preferred by the petitioner for modification of order dated 25.07.2017 passed in Criminal Miscellaneous No. 33083 of 2017, vide which, petitioner was allowed privilege of bail with certain conditions and one of the conditions was that the petitioner had to deposit Rs. 6,50,000/- of security money and the court below after being satisfied with the same, was directed to release the petitioner on bail.

However, it has been submitted by learned counsel for the petitioner that since the petitioner is in judicial custody, he is unable to arrange the above stated amount and, therefore, prayed that the direction of the court to deposit the security money may be converted into bank guarantee or FDR of Rs. 6,50,000/-.

Heard learned counsel for the State.



It appears that order dated 25.07.2017 was passed in presence of the opposite party no. 2, however, he has not appeared today.

Considering the facts and circumstances and the submission of learned counsel for the petitioner, order dated 25.07.2017 passed in Criminal Miscellaneous No. 33083 of 2017 is modified to the extent that petitioner is permitted to deposit the amount of Rs. 6,50,000/- by way of bank guarantee or by FDR.

All other condition imposed in the said order shall remain intact.

Accordingly this modification application is allowed.

(Vinod Kumar Sinha, J)

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