

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25195 of 2017

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1. Shahzada Khan, son of Sikandar Khan,
2. Shahnawaz Khan @ Shahnawaz, son of Shahzada Khan, Both resident of
Village- Ghiwadhar, P.S.- Harsiddhi, District- East Champaran.
3. Abdul Rauf, son of Yusuf Khan, resident of Village- Mirza Tola, Ward
No.26, P.S.- Bagha, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anisur Rahman

For the Opposite Party/s : Mr. Sri Manish Kumar 2

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 23-06-2017 By way of present modification application, petitioners seeks to modify the order 16.01.2017 passed in Criminal Miscellaneous No. 53516 of 2017, vide which these petitioner were granted the privilege of anticipatory bail and were directed to appear before the court on 07.02.2017 with bank draft of first installment of Rs. 1,50,000/- and only after submission of bank draft, the petitioner will be directed to be released on provisional bail on furnishing bail bond of Rs. 10,000/-(Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of Addl. Chief Judicial Magistrate, Bagaha in connection with Bagaha PS case no. 326/2016 subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.



However, regarding rest amount which comes to about Rs. 7 lacs including the interest amount, petitioners are directed to pay the same in six equal installments and first installment shall be paid by the petitioners on 17.03.2017 and they will go on paying the installment in the third week of every month by way of bank draft till the full payment (i.e. Rs. 7,00,000/- + Rs. 1,50,000/-) by the end of sixth months after first installment. It is made clear that failure to pay any installment will make them liable for cancellation of bail bond of petitioner.

As per the condition, petitioners were directed to file a demand draft of Rs. 1,50,000/- at the time of surrender and rest amount within six months in six equal installments.

It has been submitted by learned counsel for the petitioners that first installment of Rs. 1,50,000/- and four installments have already been deposited and now he has to pay only two installments, for which learned counsel for the petitioners prayed that he may be allowed further two months time as the petitioners having some difficulty.

Heard learned A.P.P. also.

In view of the facts and circumstances of the case, order dated 16.01.2017, passed in Criminal Miscellaneous No. 53516 of 2016 is modified to the extent that the earlier time of six months



allowed to the petitioners to pay the amount in question is extended by further two months and the petitioners have to deposit remaining amount within the extended period, failing which, bail bonds of the petitioners shall be cancelled.

Accordingly this modification application is allowed.

(Vinod Kumar Sinha, J)

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