

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35292 of 2016

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Rajendra Nath Das @ Rajendra N. Das, Son of Gajendra N. Das @
Gajendra N. Das, Resident of Village- Ballaur (Near High School), Post
Office- Manigachhi, Police Station- Manigachhi, District- Darbhanga.

.... Petitioner

Versus

1. The State of Bihar.
2. Satya Narayan Thakur, Son of Indra Deo Thakur, Resident of Village-
Dahaur, Post Office- Achuara, Police Station- Barh, District- Patna.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP
SINGH**

ORAL ORDER

2 15-03-2017 The petitioner has filed the instant modification

application for extending the time for surrender and, also for

depositing the amount, so granted vide order, dated 17.03.2016,

passed in Cr. Misc. No. 11370 of 2016.

By order, dated 17.03.2016, passed in Cr. Misc. No.

11370 of 2016, the petitioner was directed to deposit a sum of

Rs.50,000/- as per time schedule mentioned in the order. The

relevant extract of the order, dated 17.03.2016, is quoted herein

below:

“In the facts and circumstances of the case, let
the petitioner, above-named, in the event of his
arrest or surrender before the court below
within six weeks, be released on bail on
furnishing bail bonds of Rs. 5,000/- (Rupees



Five Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Barh in connection with Complaint Case NO. 645 (C) of 2013, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure, with further condition that petitioner will deposit a sum of Rs.50,000/- in cash within a period of two months. The first installment of Rs. 25,000/- will be deposited in the first month from today and the second installment will be deposited by the end of the next month. The complainant would be entitled to withdraw the same.”

In view of the submissions made by the petitioner, the period for surrender and also to deposit the amount is extended by further six weeks from today. The first installment of Rs.25,000/- should be deposited within three weeks from today and the remaining Rs.25,000/- should be deposited in the subsequent three weeks. The complainant would be entitled to withdraw the amount and the trial court would ensure that the amount is given to the complainant without delay.

No coercive steps would be taken against the petitioner for six weeks, which would be subject to deposit of the 1st installment within three weeks from today in connection with



Complaint Case No. 645 (C) of 2013, pending in the Court of learned Sub-Divisional Judicial Magistrate, Barh.

If the petitioner fails to deposit the said amount within three weeks, the interim protection granted to the petitioner would stand vacated.

The modification application, as such, stands disposed of.

(Samarendra Pratap Singh, J.)

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