

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39454 of 2018

In
Criminal Miscellaneous No.37187 of 2017

Arising Out of PS. Case No.- Year- Thana- District- West Champaran

Pradeep Kumar @ Pradeep Kumar Sah @ Pradeep Sah, S/o Bikau Sah, R/o
Purani Gudari, P.S. - Kalibag O.P., District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Mithilesh Kumar Khare, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 08-08-2018 Heard learned counsels for the petitioner and
the State.

Petitioner seeks modification of the order dated
18.08.2017 (Annexure-1) passed in Cr. Misc. No. 37197 of
2017, whereby petitioner was granted provisional bail for a
period of three months for depositing the amount in question.
It was further directed that in case petitioner deposits half of
the cheque amount i.e. Rs. 3,50,000/- within a period of three
months from the date of release, the Court below will
confirm the provisional bail granted to him. In default, Court
below shall take steps for cancellation of his bail bonds.

Learned counsel appearing for the petitioner



submits that petitioner was granted provisional bail and his bail bonds were accepted on 24.08.2017. Petitioner had approached the Court below for depositing the amount in question, but he was informed that the record of the case has been Sent to the Sessions Court, so he may come after return of the records. It is further submitted that during the relevant period petitioner remained engaged in the treatment of his mother. In the aforesaid circumstances, petitioner could not deposit the amount in question.

Learned counsel further submits that petitioner has deposited an amount of Rs. 3,50,000/- (three lakh fifty thousand) in the court below on 04.08.2018 as would be evident from Annexure-3 to the Supplementary Affidavit filed today.

Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, prayer for modification is allowed and the provisional bail granted to the petitioner is further extended up to a period of two weeks from today.

As regards the submission of the learned counsel that petitioner has already deposited the amount in question, the Court below is directed to verify the above



facts and in case it is found to be correct, the provisional bail granted to him be confirmed.

The order dated 18.08.2017 passed in Cr. Misc. No. 37187 of 2017 is modified to the above extent.

The application, accordingly, stands disposed of.

(Arvind Srivastava, J)

mcv/-Sanjeev

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