

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38093 of 2019

In
CRIMINAL MISCELLANEOUS No.223 of 2018

Arising Out of PS. Case No.-211 Year-2017 Thana- NOKHA District- Rohtas

Manish Kumar Ranjan Son of Ram Kumar Sah @ Raj Kumar Sah Resident of
Station Road, Nokha Near Hanuman Mandir, Ward No. 10, P.S.- Nokha,
District - Rohtas at Sasaram

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Branch Manager, Bank of India, Nokha Branch, Rohtas. Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.
For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 23-08-2019 This application has been preferred for modification of the order dated 12.01.2018 passed in Cr. Misc. No. 223 of 2018. By the said order this Court had granted bail to the petitioner on his furnishing bail bond of Rs. 25,000/- and on submission of proof of deposit of Rs. 5 lakhs in cash subject to further condition that the petitioner shall in terms of his own undertaking keep on paying the balance amount of Rs. 29 lakhs in six equal monthly installments with the Bank. The order clearly states that failure to pay any installment without such arrangement with the Bank shall confer a right to the bank to seek cancellation of bail of the petitioner.

No one appears on behalf of the petitioner. None for the State is present.

Perusal of this application shows that this Court had



granted regular bail to the petitioner only on his own offer and undertaking to deposit the balance amount of Rs. 29 lakhs in six equal monthly installments. The informant Bank had also accepted the offer. Now it appears from the petition that the petitioner has changed his stands and according to him, he has no other source of income except the property mortgaged with the Bank and he has made a further submission that he undertakes to pay the amount after realization of the mortgaged property. It is evident from the stand now being taken by the petitioner that he had made a false promise before this Court and had in fact made a calculated prayer in order to get regular bail from this Court. The conduct of the petitioner cannot be accepted by the Court. The bail of the petitioner was subject to the further conditions prescribed in the order dated 12.01.2018. Since he has failed to abide by the conditions, the bail bonds submitted by the petitioner is liable to be cancelled. The bail bond of the petitioner is cancelled. Let a warrant of arrest be issued against the petitioner.

The application stands disposed of accordingly. The court below shall ensure execution of warrant.

(Rajeev Ranjan Prasad, J)

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