

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4437 of 2019

Deep Narayan Sahani, aged about 45 years (Male), Son of Jiya Lal Sahani
resident of village - Bada Bariyar Pur Malah Toli Ward No. - 12, P.S. -
Chhataini, District - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Munna Kumar, Son of Dukhan Mahto resident of village - Padumker, P.S. -
Patahi, District- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava
For the Opposite Party/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 30-01-2019 Heard learned counsel for the parties.

By order dated 06.08.2018, passed in Cr. Appeal (SJ)
No. 2489 of 2018, appellant was allowed provisional bail by this
Court for the reason that appellant had submitted that he is
ready to refund back the consideration money of Rs.12,00,000/-
(rupees twelve lacs) as well as to execute the sale deed as per
desire of the complainant.

The complainant expressed his desire to get back
money by his petition dated 21.08.2018 filed before the court
below, a copy of the same is Annexure-B.

The petitioner has not refunded the consideration
money even after lapse of five months, rather deposited a very
meager amount of Rs.2,00,000/- (rupees two lacs) on
07.01.2019 to ensure extension of time.



By way of last indulgence, two months time is allowed for depositing the remaining amount of Rs.10,00,000/- (rupees ten lacs) in the bank account of the complainant and the period of provisional bail is further extended for two months effective from 06.02.2019.

Let this order be communicated to the court of learned 1st Additional Sessions Judge-cum-Special Judge, East Champaran, Motihari in connection with Patahi Police Station Case No. 42 of 2018.

Accordingly, this modification application is allowed.

(Birendra Kumar, J)

Kundan/Rajan

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