

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23000 of 2019

In
CRIMINAL MISCELLANEOUS No.19951 of 2018

Arising Out of PS. Case No.-1727 Year-2017 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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1. BINOY KUMAR @ BINAY KUMAR @ BINAY KUMAR DUBEY Son of Late Binod Dubey Resident of Village - Mashan, P.S. - Jadopur, District - Gopalganj Presently residing at Sareya ward No.2, Lakhapatiya More, P.S.- Gopalganj, District - Gopalganj
 2. Vijay Kumar @ Bijay Kumar Dubey Son of Late Binod Dubey Resident of Village - Mashan, P.S. - Jadopur, District - Gopalganj Presently residing at Sareya ward No.2, Lakhapatiya More, P.S.- Gopalganj, District - Gopalganj

... .. Petitioners

Versus

1. THE STATE OF BIHAR Bihar
2. Gupteshwar Kumar Pandey Son of Late Amar Nath Pandey Resident of Village - Karwatahi Bazar, P.S. - Gopalpur, District - Gopalganj

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Indrajeet Bhushan

For the Opposite Party/s : Mr.Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-04-2019 By way of present modification application, the petitioners seek to modify the order dated 19.07.2018 passed in Cr. Misc. No. 19951 of 2018, by which, on the prayer of petitioners six weeks further time was allowed to them to pay remaining amount of Rs. Four lakhs to the opposite party no. 2 either by way of demand draft or by cheque duly drawn in favour of opposite party no. 2 and the court below was to verify the same and release the petitioners on bail to his own satisfaction.

Submission of learned counsel for the petitioners is that in compliance of order dated 19.07.2018 passed in Cr. Misc. No.



19951 of 2018, the petitioners were to surrender and deposit the remaining amount of Rs. Four lakhs but as the wife of petitioner no. 2 diagnosed with heart attack, the could not surrender in time and, therefore, they pray for modification of order dated 19.07.2018 passed in Cr. Misc. No. 19951 of 2018.

Considering the submission as well as the averments made in the modification application, order dated 19.07.2018 passed in Cr. Misc. No. 19951 of 2018 is modified to the extent that further four weeks time from the date of receipt of this order is allowed to the petitioners to surrender before the court below along with the demand draft of Rs. Four Lakhs duly drawn in favour of opposite party no. 2 and the court below after verifying the same, shall release the petitioners on bail to his own satisfaction. Other part of the order shall remain intact.

Accordingly, this modification application is allowed.

Office is directed to send a copy of this order to concerned court below forthwith.

(Vinod Kumar Sinha, J)

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