

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24874 of 2019

In
CRIMINAL MISCELLANEOUS No.78004 of 2018

Arising Out of PS. Case No.-473 Year-2016 Thana- GAYA COMPLAINT CASE District-
Gaya

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MD SALIM JAWED @ Md. Salim Salim Son of Late Md. Samiullah,
Resident of Mohalla- Kendua Bazar, Police Station- Kulti, District- Bardwan
(West Bengal).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sana Naz, Wife of Salim Jawed @ Md. Salim Jawed, D/O Abdul Wajab,
Resident of Village- Narayanpur, Police Station- Maigara, Police Station-
Maigara, District- Gaya.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Prasad Singh
For the Opposite Party/s : Mr.Ram Priya Sharan Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 24-04-2019 This modification application has been filed for

modification of order dated 20.02.2019 passed in Cr. Misc.

No.78004 of 2018 by which the petitioner has been granted

conditional bail on payment of Rs.12,000/- per month payable

to the complainant in the first week of each month.

Submission of learned counsel for the petitioner is

that he does not have so much income and as such he is unable

to pay the amount and he is ready to keep the complainant.

Heard learned A.P.P. also.

Having heard both sides, from perusal of order dated



20.02.2019 passed by this Court in Cr. Misc. No. 78004 of 2018, it appears that the order has been passed after hearing the learned counsel for the petitioner and complainant and no objection was raised at that time and now submission is made that the petitioner has no income.

In such view of the matter, I am not inclined to modify the order dated 20.02.2019 passed in Cr. Misc. No.78004 of 2018, however, if the petitioner surrender before the court below and make prayer for regular bail and make submission as made above that he is ready to keep the complainant, the learned court below shall consider the aforesaid aspect of the matter and pass an appropriate order.

Accordingly, this modification application is dismissed.

(Vinod Kumar Sinha, J)

Amjad/-

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