

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64272 of 2018
In
CRIMINAL MISCELLANEOUS No.55395 of 2016

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Md. Sarfaraj Alam, Son of Late Lal Mohammad, Resident of Village-
Ghormohana, P.S.-Laukaha lalmaniya, District-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Nazir Ansari

For the Opposite Party/s : Mr. Vinod Shankar Modi

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 27-02-2019 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor.

At an earlier occasion, vide order dated 09.01.2017,

petitioner was released on provisional bail in following way “*On
deposit of Rs.50,000/-, petitioner, Md. Sarfaraj Alam is directed to be
released on provisional bail effective for six months till 09.07.2017 from
today, within intermediary period, it is expected that remaining amount
will be deposited at the end of the petitioner. In case, the amount is
deposited, then in that event, provisional bail granted to the petitioner will
be confirmed by the learned lower Court otherwise, the provisional bail so
granted to the petitioner will be deemed to be cancelled, on furnishing bail
bond of Rs.10,000/- (ten thousand) with two sureties of the like amount
each to the satisfaction of Mr. M. Mishra, Judicial Magistrate, 1st Class,
Jhanyharpur, Madhubani in connection with Laukaha (Lalmaniya) P. S.*



Case no.20 of 2016.”

It has been submitted at the end of the petitioner that he had not deposited the total amount within the stipulated period of six months. It has further been submitted that in the aforesaid background, the provisional bail of the petitioner be confirmed.

On the other hand, learned Additional Public Prosecutor opposed the prayer.

The grant of provisional bail of petitioner was only for six months that means to say, it evaporated after 09.07.2017. The petition impugned has been filed in the Year 2018 that means to say, on the date of filing of instant petition, there was no order acknowledging the status of the petitioner to be on provisional bail. That being so, there is no prayer having at the end of the petitioner for modification of the order.

Accordingly, instant petition lacks merit and is rejected.

The learned lower Court is directed to proceed against the petitioner in accordance with law.

(Aditya Kumar Trivedi, J)

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