

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49356 of 2019**

Arising Out of PS. Case No.-269 Year-2018 Thana- BETTIAH CITY District- West
Champaran

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RAO VIVEKANAND SINGH, Son of Shri Jagarnath Rao Resident of
Village-Pathri Ghat, Laxman Wagar, P.S-Pathri, District-West Champaran.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Afroz Alam Son of Late Alisher Khan Resident of Village-Baswariya,
Ghasukpura, Ward no.31, P.S-Bettiah Town,District-West Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad, Advocate
Mr. Bandana Singh, Advocate
For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

3 25-09-2019 This application has been filed for cancellation of bail

granted to the opposite party no.2, vide order dated 11.07.2018

passed in Criminal Misc. No. 39288 of 2018, by which, an order

has been passed, which are reproduced here-in-below:

*“Having heard both sides, considering
the facts and circumstances of the case, this
application is disposed of with direction to the
petitioner to surrender before the court below
within a period of eight weeks along with a
demand draft of Rs.2 lac drawn in favour of the
petitioner and the court below only after
satisfying himself shall release the petitioner on
provisional bail for a period of six months during
which, period, the petitioner shall pay the rest*



amount of Rs.6 lacs in three equal installments to be paid in the first week of alternative months and only after payment of full amount of Rs.8 lac, the court below shall confirm the bail bond of the petitioner.

It is made clear that fifty percent of the aforesaid amount of Rs.8 lac, shall be released in favor of the informant.

It is also made clear that the aforesaid amount of Rs.8 lac to be deposited by the petitioner, shall be subject to the outcome of the case.”

Petitioner has filed this application on the ground that opposite party no.2 has deposited first installment of Rs.2,00,000/-, but rest of the amount he has not deposited. He has filed an application before the court below, who has also noticed the petitioner and he has appeared also and taking some, but thereafter left appearing in that case.

On the other hand, opposite party no.2 has appeared on notice and submission of learned counsel is that due to some difficulties he could not deposit the amount and he is ready to deposit the amount, if time is granted till 31.10.2019.

Having heard both sides, in view of the facts, as stated above, this application is disposed of with a direction that if the petitioner failed to deposit the rest of the amount, which has



been directed as per order of this Court dated 11.07.2018 passed in Criminal Misc. No. 39288 of 2018, after hearing both the parties, the bail bonds of the petitioner shall be cancelled by the learned court below and warrants of arrest be issued against him.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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