

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86874 of 2019

In
CRIMINAL MISCELLANEOUS No.42860 of 2018

Arising Out of PS. Case No.-164 Year-2015 Thana- GAUNAHA District- West Champaran

Pradeep Prasad @ Pradeep Kumar, Son of Sri Ramji Sah @ Ramji Prasad
Resident of Village-Pakari Bishauli, P.S.-Gaunaha, District-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 01-07-2020 Heard Mr. Umesh Chandra Verma, learned Advocate for the petitioner and Mr. Md. Aslam Ansari, learned APP for the State.

The petitioner was granted provisional bail by order dated 30.07.2018 passed in Cr. Misc. No. 42860 of 2018, subject to the petitioner making payment of Rs. 6,90,919/- to the informant. The order referred to above further specified that it would be open for the informant to take appropriate recourse to law including cancellation of bail, if the petitioner did not cooperate in further negotiations and repayment process. If the petitioner would not fulfill the liabilities and the undertaking given by him, the bail order also made automatically revocable. Sometimes prior to the filing of



the present petition, an application was filed for modification of the order on the ground that the petitioner has performed his part of the obligation of repaying the amount of Rs. 6,90,919/-. However, at that time, it was not clear from the records whether such amount had been paid. Therefore, the application for modification was rejected *vide* order dated 14.08.2019.

Today, Mr. Umesh Chandra Verma, learned counsel for the petitioner submits that more than Rs. 6,90,919/- has been deposited in favour of the informant.

On the basis of the aforesaid submissions made on behalf of the petitioner, this Court modifies the order dated 30.07.2018 to the extent that if the petitioner surrenders before the court below along with the proof of the fact that the entire amount of Rs. 6,90,919/- has been paid, the court below shall issue notice to the informant and have such statement verified. On confirmation, the petitioner shall be granted permanent bail on his furnishing fresh bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Gaunaha P.S. Case No. 164 of 2015.

The order stands modified to the extent



indicated above.

The modification petition stands allowed and
disposed off accordingly.

(Ashutosh Kumar, J)

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