

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84976 of 2019

In
CRIMINAL MISCELLANEOUS No.19219 of 2018

Arising Out of PS. Case No.-8 Year-2018 Thana- NARHATT District- Nawada

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1. PRAMOD KUMAR Son of Kailash Prasad Resident of Village - Barat Shivganj, P.S.- Sitamarhi, District- Nawada
 2. Urmila Devi Wife of Sri Chhatardhari Prasad Yadav Resident of Village - Baijnathpur, P.S.- Sitamarhi, District- Nawada

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 22-01-2020 This modification application has been filed for modification of order dated 04.05.2018 passed in Cr. Misc. No. 19219 of 2018, by which, the prayer of the petitioners for grant of anticipatory bail was disposed of with direction to the petitioners to surrender within eight weeks from the date of receipt of order with a bank draft of Rs. 2,00,174/- payable in favour of the District Programme Officer, Nawada, on which, the court below was directed to release the petitioners on bail. Thereafter, the petitioner filed modification application for modification of order dated 04.05.2018 and for extension of time to deposit the said amount and this Court vide order dated 20.12.2018 passed in Cr. Misc. No. 73626 of 2018 modified the



order dated 04.05.2018 to the extent that petitioner was granted further four weeks' time to deposit the amount in question.

Thereafter, the present modification application has been filed and it has been submitted by learned counsel for the petitioners that due to inadvertence the amount has been deposited in the account of the school instead of the account of the District Programme Officer, Nawada and they have annexed a copy of receipt showing the transfer of amount of Rs. 2,00,174/- and thus prayed for modification of order dated 04.05.2018 and for extension of time to surrender in the court below.

Heard learned APP also.

Having heard both sides, considering the facts and circumstances of the case, let petitioners surrender in the court below within a period of two weeks' from the date of receipt of a copy of this order in the court below and produce the receipt showing the deposit of aforesaid amount in the account of the school, on which, the court below shall release the petitioners on provisional bail till the court below verifies the deposit of aforesaid amount in the account of the school and if the same is found true, the court below shall confirm the provisional bail of the petitioner, otherwise, he is free to pass any order as he



deems fit and proper including cancellation of provisional bail of the petitioners.

The District Programme Officer, Nawada is at liberty to withdraw the aforesaid amount and transfer the same in his account.

Accordingly, this modification application disposed of

(Vinod Kumar Sinha, J)

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