

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3759 of 2020**

In

CRIMINAL MISCELLANEOUS No.17432 of 2019

Arising Out of PS. Case No.-950 Year-2017 Thana- COMPLAINT CASE District- Jamui

Gautam Kumar, 38 Male, S/O Late Budhinath Singh R/o Village - Jamui, P.S.
and Dist.- Jamui (near- Registrar Office).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vinay Kumar Singh, (48, Male), S/O Udit Narayan Singh R/o Village - Karma, P.S. - Sikandra, District - Jamui.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha

For the Opposite Party/s : Mr.Nand Kumar

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

2 22-01-2020 This Court vide order dated 27.3.2019 passed in Cr. Misc. No. 17432 of 2019 had granted bail to the petitioner subject to deposit of Rs. 3,00,000/-.

The present application has been filed making a prayer that on account of acute poverty, the petitioner could not arrange the amount of Rs. 3,00,000/- and, as such, he failed to obtain necessary order in his favor.

Learned counsel for the petitioner submits that his financial condition is not up to mark and he is in acute poverty. He further submits that somehow he has managed the amount of Rs. 1,00,000/- and submits that by way of first installment of Rs. 1,00,000/-, he will pay the said amount at the time of surrender through cash or by way of demand draft to the Complainant and,



thereafter, he will deposit Rs. 33,000/- on 7th of each month and he will liquidate the entire amount within a period of six months.

The bail bond of the petitioner will be accepted subject to payment of Rs. 1,00,000/- to the Complainant and, in failure to make payment of any of the installment, the benefit granted to the petitioner will be treated to have been withdrawn and the police will be at liberty to take steps as per law.

In the event, the Complainant refuses to take the amount or the demand draft, in such circumstances, the same will be deposited in the court below and the court below will be obliged to offer the same to the Complainant, refusal to accept the amount by the Complainant, the same will be invested at proper place so that it may earn maximum amount of interest and will be paid after disposal of the case.

Accordingly, the order dated 27.3.2019 passed in Cr. Misc. No. 17432 of 2019 stands modified to the extent indicated above.

With the aforementioned modification, this application is disposed of.

(Shivaji Pandey, J)

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