

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.86889 of 2019

In

CRIMINAL MISCELLANEOUS No.51602 of 2019

Arising Out of PS. Case No.-539 Year-2019 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

DR. SANJEEV KUMAR AGRAWAL @ TOLIJI S/o Late Arvind Kumar
Agrawal R/o Mungeriganj Kharag Narain Road, P.S.- Begusari, Distt-
Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Prakash Kumar Agrawal @ Chotujee S/o Late Sukhdeo Narain Agrawal R/o
- Mungeriganj, P.N. Bazar and Jewellers Main Road, P.S.- Begusarai, Distt-
Begusarai.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajnish Kumar

For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 26-02-2020 Heard the parties.

Earlier the prayer for anticipatory bail was allowed
vide order dated 27.11.2019 passed in Cr. Misc. No.51602 of
2019 with the following order : -

“Having heard both sides and in view of the facts and circumstances, as stated above, this application is disposed of with a direction to the petitioner to surrender before the learned court below within a period of six weeks from the date of receipt of the order along with a bank draft of Rs.35 lac (thirty five lac) in favour of the complainant and once the same is deposited, he will be released on provisional bail in connection with Complaint Case No.539© of 2019 for a period of five months and during that period, he has to pay rest of the amount in 05 months in equal installment of Rs.50 lac each in the second week of each month by bank draft in favour of the complainant and once the total amount is deposited, the bail bond of the petitioner shall be confirmed, however, failure to pay any installment



by the petitioner, his bail bond shall be cancelled without any further indulgence.

At the same time, it is made clear that if the complainant files any petition for release of the amount in favour of him, the same shall be released in favour of him on filing an undertaking that he will abide by final outcome of this case.”

Now the modification application has been filed with submission that he is not in a position to pay the amount and as such he has come for modification of the order.

Heard learned APP and the learned counsel for the complainant and it appears from perusal of order dated 27.11.2019 that the above order was passed after hearing the counsel for the petitioner and on undertaking to pay the amount.

As such I am not inclined to interfere with the earlier order passed by this Court.

Accordingly, this modification application is dismissed.

(Vinod Kumar Sinha, J)

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