

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40259 of 2021

In
CRIMINAL MISCELLANEOUS No.10480 of 2021

Arising Out of PS. Case No.-253 Year-2020 Thana- KONCH District- Gaya

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ARUN MISHRA S/o Late Bishundeo Mishra R/o village- Kanansi, P.S.-
Konch, District- Gaya

... .. Petitioner

Versus

1. The State of Bihar Bihar
2. Sarvesh Chandra Mishra S/o Late Krishna Mishra R/o village- Kanausi,
P.S.- Konch, District- Gaya

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Rohit Kumar Sharma, Advocate
For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 28-07-2021 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

This modification application has been filed seeking

modification in the order dated 20.05.2021 passed in Cr. Misc.

No. 10480 of 2021. In the said order, this Court has recorded the

offer made by the petitioner showing his bonafide readiness to

refund Rs. 18 lakhs to the informant. The statement of learned

counsel for the petitioner has been recorded in the said order

saying that the amount received from the informant is available



with the petitioner and the co-accused.

At this stage this application has been filed seeking modification in the order and now the petitioner is looking to pay the said amount in installments.

In the opinion of this Court, this application is not a bonafide application and now the petitioner wants to change his stand on the basis of which this Court had granted him bail. Such change of conditions would amount to reviewing the order passed by this Court which is not permissible.

This application is misconceived and is dismissed accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

