

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12495 of 2022

In
CRIMINAL MISCELLANEOUS No.47608 of 2021

Arising Out of PS. Case No.-147 Year-2017 Thana- DERNI BAZAR District- Saran

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RAJU BISWAS Son of Uttam Biswas R/o Village- Dobighat, P.S.- Arbindo,
Durgapur, District- Bardwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocate

For the Opposite Party/s : Mr.Yogendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-03-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioner seeks modification of the condition imposed by order dated 09.02.2022 passed in Cr. Misc. No. 47608 of 2021. By order dated 09.02.2022, the petitioner was directed to be released on bail with a condition that one of the bailor shall be his father and secondly since the petitioner had agreed to pay an amount of Rs. 33,500/- in the account of the informant, as such the Court had directed the petitioner to deposit the said amount in the account of the informant.

Learned counsel for the petitioner has filed the present modification application stating that the petitioner belongs to



West Bengal and as such his father does not have any immovable property within the State of Bihar, further it is stated that the informant died during pendency of the bail application as such the condition of depositing Rs. 33,500/- in the account of the informant could not be done. Learned counsel submits that the petitioner is willing to deposit the said amount in the account of the son of the informant, namely, Rajesh Kumar Singh who has a saving account in State Bank of India having account no. 20159377557, Branch Chhapra. It is further submitted that the other condition that one of the bailor should be the father of the petitioner be also modified.

In view of the pleadings made in the modification application and the submissions made by the learned counsel for the petitioner, the order dated 09.02.2022 passed in Cr. Misc. No. 47608 of 2021 is modified to be read as that the petitioner would deposit Rs. 33,500/-, as agreed, in the aforesaid account of Rajesh Kumar Singh, son of the informant and as far as the condition that one of the bailors shall be the father of the petitioner is concerned, the same is hereby recalled in view of the peculiar facts of the case, the petitioner shall be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the



satisfaction of learned A.C.J.M.-VII/ concerned court, Saran at Chapra in connection with with Derni P. S. Case No. 147 of 2017 and in future, if the petitioner is implicated in a case of similar nature, the learned Court below will forthwith cancel his bail bonds. The petitioner shall be released only after the amount is credited in the account of the son of the informant.

The learned court below will ensure that Rajesh Kumar Singh is the son of Late Suryadeo Singh (informant) for which Rajesh Kumar Singh will file a genealogical table certified by the Circle Officer and also a photocopy of his bank passbook which would reveal his father's name.

(Satyavrat Verma, J)

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