

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22035 of 2021**

**In
CRIMINAL MISCELLANEOUS No.1113 of 2019**

Arising Out of PS. Case No.-228 Year-2015 Thana- CHAINPUR District- Kaimur (Bhabua)

SITARAM PRASAD @ SHRI SITARAM PRASAD Son of Lt. Multan
Prasad Kharwar Resident of Village- Hatta, P.S.- Chainpur, District- Kaimur
at Bhabua.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parwej Khan
For the Opposite Party/s : Mr.A.PP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

13 05-05-2022 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

This application has been filed for modification of the
order dated 19.06.2019 passed in Cr. Misc. No. 1113 of 2019 by
which the petitioner had been granted bail by this Court.

Learned counsel appearing for the petitioner has
confined his prayer to the extent that the period of depositing the
amount in question granted vide order dated 19.06.2019 passed
in Cr. Misc. No. 1113 of 2019 may be extended.

This Court while considering the modification
application has called for a report regarding as to what extent the
order, which is sought to be modified by the petitioner, has been
complied with vide order dated 10.03.2022 and the report as



called for is received which reveals that not a single rupee has been paid by the petitioner despite the order dated 19.06.2019 although Rs. 5,78,745/- is said to have been deposited but no receipt with respect to deposit of the said amount has been submitted by the petitioner before the court below.

In view of the submission and the report received from the court below, this Court is of view that the conduct of the petitioner appears to be deliberate and intentional in not complying the order passed by the then co-ordinate Bench of this Court and he appears to be reluctant to pay the amount in question. Therefore, order dated 19.06.2019 passed in Cr. Misc No. 1113 of 2019 does not require any interference by this Court more particularly for its modification. Hence, this Court is not inclined to modify the aforesaid order. Accordingly, this modification application is dismissed.

(Rajesh Kumar Verma, J)

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