

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15826 of 2022

In
CRIMINAL MISCELLANEOUS No.33730 of 2020

Arising Out of PS. Case No.-40 Year-2020 Thana- CHAUTHAM District- Khagaria

MD. ABDUL @ MD. ABDUL SALAM, age about 39 years, Gender-Male,
Son of Md. Khilafat Hussain, Ward Sachiv of Ward No. - 7, Sarsawa
Panchayat, Resident of Village - Sarsawa, P.S. - Chautam, District - Khagaria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Jagjit Roshan, Advocate

For the Opposite Party : Mr. Dilip Kumar No. 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-04-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks.

The present application has been filed for
modification of the order dated 01.03.2021, passed in Cr. Misc.
No. 33730 of 2020, by which the petitioner was granted
anticipatory bail on the submission of learned counsel for the
petitioner that the petitioner was ready to deposit an amount of
Rs. 40,000/- in the learned court below which shall be subject to
final disposal of the case and the petitioner was directed to



deposit an amount of Rs. 40,000/- in the court below, which shall be subject to final disposal of the case and on doing so, the petitioner in the event of arrest/surrender before the learned court below within a period of six weeks was to be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria, in connection with Chautham P.S. Case No. 40 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

On behalf of the petitioner, it has been submitted that the said amount of Rs. 40,000/- could not be deposited by him within a period of six weeks and hence, he could not surrender before the learned court below and furnish bail bond.

Learned counsel for the petitioner submits that the petitioner is ready to deposit the aforesaid amount of Rs. 40,000/- in the court below within a period of eight weeks from today.

Considering the submissions made on behalf of learned counsel for the petitioner and the grounds mentioned in the modification application, the petitioner is directed to deposit the aforesaid amount of Rs. 40,000/- (Rupees Forty Thousand)



in the learned court below within a period of eight weeks from today. Thereafter, the petitioner will surrender and furnish bail bonds within a period of four weeks from the date of deposit of the aforesaid amount. The rest of the conditions stipulated in the order will be same.

The order dated 01.03.2021, passed in Cr. Misc. No. 33730 of 2020, is modified to the extent as indicated above.

The present application is allowed.

Let this order be communicated to the learned court below through e-mail.

(Sudhir Singh, J)

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