

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20351 of 2022

In
CRIMINAL MISCELLANEOUS No.9746 of 2020

Arising Out of PS. Case No.-58 Year-2019 Thana- KASIMBAZAR District- Munger

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Pawan Kumar Yadav S/O Harinandan Prasad Yadav R/O- Hasanganj, P.S.-
Kasimbazar, District- Munger.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Saket Kumar Sanni S/o Late Saudagar Prasad R/o- Hasanganj, P.S.-
Kasimbazar, District- Munger.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Rajesh Kumar, Adv.
For the Opposite Party/s	:	Mr. APP
For the O.P. No.2	:	Mr. Harsh Vardhan Sahay, Adv.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 11-05-2022 Heard Mr. Rajesh Kumar, learned advocate for the

petitioner and Mr. Harsh Vardhan Sahay, learned advocate for

the opposite party no.2. The State is represented by learned

Additional Public Prosecutor.

The petitioner seeks modification of the order dated
08.12.2021 passed in Cr. Misc. No. 9746 of 2020.

By order dated 08.12.2021, the petitioner was directed

to be released on bail by the court below on his depositing Rs.
11,90,000/- to the opposite party no.2 within a period of two
months and producing a receipt of such payment before the
court below.



For some reason or the other, which has been explained in this application, the aforesaid amount could not be paid to the opposite party no.2 within the stipulated time. However, in order to demonstrate his bonafides, the learned advocate for the petitioner has produced a Demand Draft, (DD No. 6504) drawn on Axis Bank Ltd. for an amount of Rs. 11,40,000/- in favour of the opposite party no.2.

The aforesaid Draft is now handed over in Court to Mr. Harsh Vardhan Sahay, learned advocate for the opposite party no.2, who shall transmit it, without any delay, to the opposite party no.2 to be deposited in the Bank.

The balance amount of Rs. 50,000/- shall be paid to the opposite party no.2 within a further period of two months.

Now with the deposit of the draft of Rs. 11,40,000/- in favour of opposite party no.2 in Court, which has been accepted by the counsel for the opposite party no.2, the petitioner is directed to be released on bail in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Munger in



connection with Kasimbazar P.S. Case No. 58 of 2019, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The order dated 08.12.2021 passed in 9746 of 2020 is modified accordingly.

The petition stands disposed of.

(Ashutosh Kumar, J)

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