

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25493 of 2022**

In

CRIMINAL MISCELLANEOUS No.14017 of 2020

Arising Out of PS. Case No.-214 Year-2019 Thana- ASHTHAWAN District- Nalanda

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Amit Kumar @ Dablu S/o Late Anil Kumar Sinha @ Suresh Prasad Resident
of Village- Sherpur, P.S.- Asthawan, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Hansraj, Adv.

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

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**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER**

2 22-06-2022 Heard Mr. Hansraj, learned advocate for the petitioner
and counsel for the State.

The learned counsel for the petitioner has submitted that by order dated 07.12.2021, bail was granted to the petitioner but subject to the condition that he will make payment of Rs. 10 lakhs under protest and subject to his right and contention later to the opposite party no.2 within a period of four months. But, for the reasons beyond his control, specially for not being able to garner necessary funds, the petitioner could not deposit the money and therefore he did not surrender before the court below.

The petitioner is trying his best to arrange for the money and is sanguine that he might be able to get that amount from different sources, within a period of four weeks.

A request therefore has been made by the learned counsel for the petitioner to modify the order dated 07.12.2021 by



giving four months more time to the petitioner to make payment to the opposite party no.2 and seek bail.

The prayer made on behalf of the petitioner is reasonable and is therefore accepted.

The aforesaid order dated 07.12.2021 is modified to the extent that if the petitioner makes payment of Rs. 10 lakhs, though under protest and subject to his rights and contention later, to the opposite party no.2 within a period of next four months, to be counted from today, and furnishes the receipt of such payment before the court below, he shall be released on bail on 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 Additional Chief Judicial Magistrate-VI, Nalanda at Biharsharif in connection with Asthawan P.S. Case No. 214 of 2019, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Till such time, the interim protection which has been granted to the petitioner by order dated 07.12.2021 shall continue.

The order stands modified accordingly.

(Ashutosh Kumar, J)

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