

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11359 of 2021

Arising Out of PS. Case No.-1527 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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ASHOK KUMAR SINGH Son of Sri Sudarshan Singh R/O NEW
MAINPURA, P.S.-DANAPUR, DIST-PATNA

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Shankar Singh Son of Late Girjanandan Singh R/o Gola Road, Annapurna
Enclave, Flat No. 302, P.S.- Danapur and District - Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Santosh Kumar Advocate

For the Opposite Party/s : Mr.Ranjeet Kumar Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

7 01-12-2022 Heard learned counsel for the petitioner, the state and
opposite party no. 2.

This application has been filed for quashing, order
dated 02.03.2022 passed in criminal miscellaneous no. 01/2022
by Additional Sessions Judge-1 Danapur with respect to
modification of bail order dated 26.09.2019 passed in BP no.
686 of 2019 in connection with complaint case no 1527 of 2018.

By filing supplementary affidavit learned counsel for
the petitioner avers that the petitioners have already paid rs.
13.16 lacs out of Rs. 18.48 lacs to the complainant/opposite
party till today. And rest Rs. 5.32 lacs is remaining due which is
to be returned to opposite party no. 2. Petitioner undertakes that



he will pay the rest amount in 12 equal installments to opposite party no. 2 from January 2023.

Learned counsel for opposite party no. 2 does not controvert the submission made on behalf of the petitioner.

In view of the undertaking of the petitioner, in the event of surrender within 6 weeks from today, let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- two sureties of the like amount is to the satisfaction of the ACJM-6 Danapur, Patna, in connection with Complaint case no. 1527 of 2018 on following conditions:-

Petitioner shall pay Rs. 50,000/- to opposite party no. 2 and receipt to this effect would be furnished by him at the time of processing the bail bonds. Rest amount of Rs. 4.82 lacs would be returned by him to opposite party no. 2 in further 12 equal installments starting from next month, failing which the court below shall be at liberty to cancel the bail bonds.

Impugned order dated 02.03.2020 is modified to this extent indicated above.

(Prabhat Kumar Singh, J)

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