

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11129 of 2023

In
CRIMINAL MISCELLANEOUS No.45921 of 2022

Arising Out of PS. Case No.-40 Year-2022 Thana- KANGLI District- West Champaran

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RAMADHAR SAHANI SON OF LATE BASUDEV SAHANI R/O
VILLAGE- SIDHWALIYA, P.S.- KANGALI, DISTRICT- WEST
CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey,Adv.
For the Opposite Party/s : Mr. Lalan Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 22-02-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The present petition has been filed for modification
of order dated 09.12.2022 passed in Cr. Misc. NO. 45921 of
2022.

Learned counsel for the petitioner submits that
petitioner was granted bail on 09.12.2022 in Cr. Misc. No.
45921 of 2022 with certain conditions in which one of the
conditions [condition no. (i)] is that one of the bailors shall be
either father or mother or sister or brother or wife or person who
has sworn the affidavit in bail application.

Learned counsel for the petitioner submits that no



person as mentioned in condition (i) of the order dated 09.12.2022 is available to stand as a bailor, since the father and mother of the petitioner are dead, brothers of the petitioner have no good terms with the petitioner as they are inimical to the petitioner and not ready to stand as bailors, petitioner's sister is resident of Nepal and wife of petitioner is also accused in the present case and the person who has sworn the affidavit has no valuable surety to furnish bail bond and due to aforesaid reasons petitioner is not fulfilling condition no. (i) of bail order dated 09.12.2022. He further submits that maternal uncle of the petitioner namely Ramlakhan Sahni son of Bhagat Sahni who has sworn the affidavit in the present petition, is ready to stand as bailor. He prays that condition no. (i) of bail order dated 09.12.2022 be modified to the extent that maternal uncle of the petitioner namely Ramlakhan Sahni son of Bhagat Sahni who has also sworn the affidavit in the present petition shall be bailor.

Learned APP does not controvert the aforesaid submission.

In the light of the aforesaid submission, condition no (i) of bail order dated 09.12.2022 passed in Cr. Misc No. 45921/2022 stands modified to the extent that maternal uncle of



the petitioner namely Ramlakhan Sahni son of Bhagat Sahni who has also sworn the affidavit in the present petition shall be bailor.

In the aforesaid manner, this modification petition stands disposed of.

(Alok Kumar Pandey, J)

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