

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18317 of 2023

In
CRIMINAL MISCELLANEOUS No.6024 of 2022

Arising Out of PS. Case No.-4 Year-2021 Thana- C.B.I CASE District- Patna

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MANISH EKNATH MURKUTE Son of Sri Eknath Murkute R/o Flat No. A-701, Lake Gardens Society, P.S- Govardhan Vilas, Dist- Udaipur (Rajasthan)

... .. Petitioner/s

Versus

The Central Bureau of Investigation through its Superintendent of Police,
SBI/AC-1, New Delhi Govt. of India

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajan Ghosharwe, Adv.

Mr.Rajnish Kumar, Adv.

For the Opposite Party/s : Ms.Nivedita Nirvikar, Sr. Adv.

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 22-03-2023 Heard the parties.

The present petition has been filed for modification of condition no. 2 of bail order dated 26.09.2022 passed in Cr. Misc. No. 6024 of 2022 in connection with CBI R.C. Case No. 04A/2021 (R.C.-ACI-2021-A0004) giving rise to special Case No. 01/2021 which says that “petitioner shall remain present before the trial court on each and every date without fail, failing which the trial court shall cancel the bail bond of the petitioner”.

Learned counsel for the petitioner submits that petitioner is constantly going under treatment for his aggravated spinal problems and routine medical checkups and due to which any long journey or stress can cause irreparable damage to the



health of petitioner. He further submits that due to condition no. 2 of order dated 26.09.2022, petitioner is facing problem to remain present before the trial court on each and every date as petitioner is resident of Rajasthan and the petitioner is also a Central Government employee posted at Udaipur (Rajasthan). Hence, he prays that condition no. 2 be modified in the context of his critical health condition.

The learned counsel for C.B.I. does not raise objection.

In the light of aforesaid submission, condition no. 2 of order dated 26.09.2022 passed in Cr. Misc. No. 6024 of 2022 is modified to the extent that petitioner will co-operate in trial and will remain present during trial and absence for two consecutive dates without appropriate permission from the concerned trial court, would be a ground for cancellation of bail of the petitioner by the learned Trial court itself.

Let this order be communicated to the concerned court forthwith.

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

(Alok Kumar Pandey, J)

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