

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24974 of 2023

In
CRIMINAL MISCELLANEOUS No.5361 of 2022

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

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BURGULA PAPA RAO @ PRASANNA BURGULA PAPA RAO Son of
Parkasham R/o House No. 32, Vankat Eshwara Colony, Shanti Nagar, Uppal,
PS- Uppal, Dist- Medchal Makajgiri Hyderabad (Andhra Pradesh)

... .. Petitioner/s

Versus

The State through C.B.I Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Makardhwaj Upadhyay
For the CBI : Mrs.Nivedita Nirvikar

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 19-04-2023 Heard learned counsel for the petitioner and learned
counsel for the C.B.I.

The present petitioner has been filed for modification
of order dated 26.09.2022 passed by this court in Cr. Misc. No.
5361 of 2022, whereby and whereunder the petitioner was
granted bail and it is mentioned that in condition no. ii
“petitioner shall remain present before the trial court on each
and every date without fail, failing which the trial court shall
concel the bail bond of the petitioner.”

Learned counsel for the petitioner submits that
petitioner is aged about 61 years. He is a retired government
servant and is suffering from old age ailments. He further



submits that petitioner is resident of Hyderabad (Andhra Pradesh), due to distance and age, petitioner feels great difficulty in travelling from Hyderabad to Patna in order to comply the aforesaid condition. Hence, he prays that condition no. ii be modified in the context of his physical condition.

Learned counsel for the C.B.I. does not raise objection.

In the light of aforesaid submission, condition no. ii of order dated 26.09.2022 passed in Cr. Misc. No.5361 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, would be a ground for cancellation of bail by the learned trial court itself.

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

(Alok Kumar Pandey, J)

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