

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67868 of 2023**

**In
CRIMINAL MISCELLANEOUS No.49770 of 2021**

Arising Out of PS. Case No.-76 Year-2015 Thana- RAFIGANJ District- Aurangabad

Santosh Ravidas @ Pappu @ Ajay Ji @ Ajay @ Santosh Das Son Of Aklu
Rabidas @ Ram Swarup Ram Resident Of Village - Sonarchak, P.S - Salaiya,
District Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 06-10-2023

1. Heard learned counsel for the parties.

2. This application under section 482 of the Code of Criminal Procedure has been filed praying for modification of the order dated 22.2.2022 passed in Cr. Misc. no.49770 of 2021 whereby the petitioner Santosh Ravidas @Pappu @Ajay Ji @Ajay @Santosh Das was directed to be enlarged on bail in connection with Rafiganj P.S. Case no.76 of 2015 on furnishing bail bond on Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District Judge XIV, Aurangabad.

3. From the contents of the petition, it transpires that a letter no.278 of 2023 dated 21.3.2023 (Annexure-2) was written by the Secretary, District Legal Services Authority,



Aurangabad to the Secretary, High Court Legal Services Committee, Patna stating therein that inspite of grant of bail by the aforesaid order, the petitioner has been languishing in jail as he has failed to furnish bail bond. It was reported by the concerned panel lawyer to the District Legal Services Authority that the accused was unable to fulfill the conditions as given in the order granting bail. As such it was requested that steps be taken for modification of the conditions for grant of bail.

4. Shri. Rajesh Kumar, learned panel Advocate for the Patna High Court Legal Services Committee submits that consequent to the above communication, he received letter bearing no.991 dated 2.5.2023 from the Registrar Cum Secretary, High Court Legal Services Committee, Patna appointing him as a lawyer to file a modification petition on behalf of the petitioner Santosh Ravidas @Pappu @Ajay Ji @Ajay @Santosh Das. As a result, the instant application for modification has been filed.

5. Learned counsel for the petitioner submits that inspite of grant of bail to the petitioner as far back as on 22.2.2022, the petitioner being unable to furnish the bail bond and satisfy the conditions, he continues in custody. As such it



is prayed that the order dated 22.2.2022 be suitably modified.

6. Having heard Shri. Rajesh Kumar, learned panel Advocate for the Patna High Court Legal Services Committee and having perused the material on record, the Court is satisfied that the case has been made out for modification of the conditions imposed for grant of bail to the petitioner Santosh Ravidas @Pappu @Ajay Ji @Ajay @Santosh Das in the order dated 22.2.2022.

7. Accordingly, the order dated 22.2.2022 passed in Cr. Misc. no.49770 of 2021 granting bail to the petitioner Santosh Ravidas @Pappu @Ajay Ji @Ajay @Santosh Das in connection with Rafiganj P.S. Case no.76 of 2015 is modified to the extent that the petitioner shall be enlarged on bail in connection with Rafiganj P.S. Case no.76 of 2015 on a personal bond. He will not be required to furnish bail bond of Rs.10,000/- (Rupees Ten Thousand) nor will he be required to give two sureties of the like amount as directed in the order dated 22.2.2022.

8. The order dated 22.2.2022 passed in Cr. Misc. no.49770 of 2021 stands modified to the above extent. The application stands allowed.

9. Let a copy of this order be immediately



communicated to the learned Additional District Judge XIV, Aurangabad where Rafiganj P.S. Case no.76 of 2015 is pending as also to the Registrar- Cum- Secretary, Patna High Court Legal Services Committee, Patna.

(Partha Sarthy, J)

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