

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17333 of 2024

In
CRIMINAL MISCELLANEOUS No.2962 of 2023

Arising Out of PS. Case No.-633 Year-2022 Thana- AGAMKUAN District- Patna

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Rahul Kumar @ Rahul S/o Ajay Kumar Resident of Flat No. 403, Lap Heights Apartment, Bajrangpuri Colony, P.S.- Alamganj, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Prakash Chandra S/o Sri Bhagwan Prasad R/o Vill - Bhakharuan More, P.S. - Daudnagar, Distt. - Aurangabad, At present Vaishnavi Packers, Bhut Nath Road, P.s. - Agam Kuan, Distt. - Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Kant , Advocate
For the Opposite Party/s : Mr. Anil Kumar Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 01-03-2024 This application has been filed for modification of order dated 23.08.2023 passed in Cr. Misc. No. 2962 of 2023 .

2. Learned counsel for the petitioner has submitted that earlier petitioner was granted bail by order dated 23.08.2023 passed in Cr. Misc. No. 2962 of 2023 with the following conditions that -

(i) At the time of furnishing bail bond Rs. 1.5 lacs (Rupees one lac fifty thousand) shall be deposited through bank draft in the name of informant.

(ii) Rest amount of Rs. 12 lacs (twelve lacs) shall be deposited in six equal installments of Rs. 2,00,000/- (two lacs) through bank draft in the



name of informant within a period of six months from the date of furnishing bail bond.

(ii) If the petitioner fails to comply with the aforesaid direction of this court, the Court below shall be at liberty to cancel the bail bonds of the petitioner.

3 . It is submitted on behalf of the petitioner that the petitioner fully obeyed the order of this Hon'ble Court and submitted demand draft of Rs. 1.5 lacs vide D.D. No. 839243 dated 26.09.2023 on 06.10.2023 when the bail bonds furnished and the petitioner was released on bail. It is next submitted that D.D. No, 839259 of Rs. 2 lacs on 30.10.2023 before Learned Court below, D.D. No. 570019 dated 29.11.2023 on 30.11.2023 , D.D. No. 83929 dated 02.01.2024 on 03.01.2024 and D.D. No. 839311 dated 30.01.2024 on 31.01.2024 , as such the petitioner deposited Rs. 9.5 lacs out of 13.5 lacs and remaining only 4 lacs is to be paid by the petitioner. He next submits that he is intended to pay the entire amount but due to poor financial condition of family of the petitioner his is not in position to pay the remaining amount within a period fixed by this Hon'ble court. Therefore, petitioner undertakes to arrange the required amount and pay within six months further time .

4. In view of the aforesaid fact, six months further time from the date of receipt of this order is allowed to the



petitioner for deposit of the required amount.

5 . In view of the reasons assigned, this modification application is accordingly, allowed. The order dated 23.08.2023 is modified to the extent as indicated above.

(Prabhat Kumar Singh, J)

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