

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61832 of 2024

In
CRIMINAL MISCELLANEOUS No.53640 of 2023

Arising Out of PS. Case No.-629 Year-2021 Thana- PATLIPUTRA District- Patna

Rakesh Mishra @ Rakesh Kumar Mishra Son of Sri Krishndhar Mishra R/O Village- Rajapura Chapa, Near Raj Mahal, P.S- Chapa, Dist- Jongir Chapa, Chattishgarh.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Dr. Abhay Kumar Son of Late Dr. Janardhan Prasad R/O Moh- Ashiana Nagar, H. No-54, Phase-1, P.S- Rajiv Nagar, Dist- Patna, A/P- 401, Lotus Apt. Block B-2, Patliputra Colony, P.S- Patliputra, Dist- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Madhukar Anand, Advocate
For the State	:	Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-08-2024 Heard Mr. Madhukar Anand, learned counsel for

the petitioner and Mr. Jitendra Kumar Singh, learned APP

for the State.

2. The present petition has been been filed for the
grant of following relief:-

“That this is an application for modification of order dated 23-08-2023 passed in Cr. Misc. No. 53640 of 2023 by Hon'ble Mr. Justice Rajiv Roy, whereby and whereunder the Hon'ble court was pleased to grant regular bail to the petitioner subject to payment of Rs. 12,00,000/- to the O.P No. 2,



out of which Rs. 02,00,000/- was to be paid at the time of furnishing bail bond and the rest was to be paid in instalment of Rs. 1 lac each per month beginning from October 2023 and ending in month of July 2024.”

3. In this case, on 23.08.2023, considering the inclination of the petitioner to pay Rs.12,00,000/- for the present, the bail was allowed. The entire payment was to be cleared by July, 2024.

4. Now, the modification petition has been filed submitting that Rs.6,00,000/- have been paid but since, he was in custody for a long period and now teaching in the Coaching Institute, need some more time to pay the rest of the amount. It is his undertaking that in next ten months, he shall be paying Rs.6,00,000/- at the rate of Rs.60,000/- per month by way of demand draft issued by the local State Bank of India Branch to the informant by 10th of every month beginning September, 2024 and ending June, 2024.

5. Although the learned APP opposes the prayer that he has jumped the period granted, taking into account the fact that he has shown his bona fide by making payment of Rs.6,00,000/-, this Court is inclined to extend further



period of ten months to pay the rest of the amount as stated above.

6. This is subject to payment of Rs.2,000/- to District Legal Services Authority, Saran, Chapra (exclusively for the purchase of journals).

7. The order dated 23.08.2023 passed in Cr. Misc. No. 53640 is modified to the above extent.

8. The petition stands disposed of.

(Rajiv Roy, J)

vinayak/-

U		T	
---	--	---	--

