

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63853 of 2024

In
CRIMINAL MISCELLANEOUS No.60333 of 2023

Arising Out of PS. Case No.-653 Year-2022 Thana- RAHUI District- Nalanda

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Shravan Paswan Son Of Late Ramji Paswan Resident Of Village - Dhamauli
Dih, P.S. - Rahui (WENA), District - Nalanda

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shyamal Prakash, Adv.

For the Opposite Party/s : Mr. Amitesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 06-09-2024 Heard the learned counsel for the petitioner and

learned APP for the State.

2. This modification application has been filed for an extension of time to surrender before the court below in term of the order dated 17.10.2023 passed by this Court in Criminal Miscellaneous No. 60333 of 2023 whereby the Petitioner was directed to be released on provisional bail within six weeks from that day for a period of two months upon furnishing bail bonds of Rs. 10,000/- with two sureties to the satisfaction of the learned C.J.M. Nalanda at Biharsharif.

3. Learned counsel for the petitioner submits that *vide* order dated 17.10.2023, petitioner was granted provisional bail for a period of two months and six weeks' time was granted to



the petitioner to surrender before the lower court. The petitioner was also directed to deposit the balance amount i.e. Rs. 2,04,382/- in two equal installments by 20th December, 2023 but the order was not complied within the stipulated time granted by this Court. As such, learned counsel for the petitioners prays for extension of time to surrender the petitioners before the lower court.

4. Learned counsel for the petitioner submits that the total reimbursement amount was Rs. 3,34,382/- out of which Rs. 1,30,000/- had already been deposited on 24.05.2023. It is submitted that remaining balance amount of Rs. 2,04,382/- had to be deposited in two installments i.e. Rs. 1,35,000/- in each installment which was deposited on 08.02.2024 and Rs. 69,382/- was deposited on 05.06.2024 and as such no due amount is left to be recovered from the petitioner. It is further submitted that he is furnishing two deposit receipts of P.N.B. Bhagan Bigha, a certificate showing no dues issued by Accountant-cum-IT Assistant of Block Office of Panchayati Raj Officer, Paithna and a copy of bank statement. It is submitted that the said balance amount has been deposited belatedly which may be accepted.

5. Since the total recovery amount has already been deposited in the concerned Office, the petitioner is directed to



surrender before the concerned court within two weeks furnishing the certificate of no dues as well as proof of deposit made by the petitioner to the satisfaction of concerned court and on satisfaction of the court the petitioner be released on bail.

6. Considering the aforesaid facts and circumstances and averments made in the application, this modification application is allowed.

7. Two weeks’ further time from today is granted to the petitioner to surrender before the court below in terms of the order dated 17.10.2023 passed in Criminal Miscellaneous No. 60333 of 2023.

8. The order dated 17.10.2023 passed in Criminal Miscellaneous No. 60333 of 2023 stands modified to the aforesaid extent.

(Khatim Reza, J)

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