

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53472 of 2025

In

CRIMINAL MISCELLANEOUS No.27282 of 2022

Arising Out of PS. Case No.-454 Year-2021 Thana- CIVIL LINE District- Gaya

Parwati Devi W/O Govind Prasad Resident Of Railway Cinema,
Makhlauganj, P.s.- Kotwali, Dist.- Gaya Petitioner

Versus

The State Of Bihar Opposite Party

with

CRIMINAL MISCELLANEOUS No. 53480 of 2025

In

CRIMINAL MISCELLANEOUS No.28062 of 2022

Arising Out of PS. Case No.-454 Year-2021 Thana- CIVIL LINE District- Gaya

Nilesh Kumar S/O Govind Prasad Resident Of Railways Cinema,
Makhlauganj, P.s.- Kotwali, Dist.- Gaya. Petitioner

Versus

The State Of Bihar Opposite Party

Appearance :

(In Criminal Miscellaneous No. 53472 Of 2025)

For the Petitioner/s : Mr.Pramod Ban Bihari Singh, Advocate

For the Opposite Party/s : Ms/Mrs. Sharda Kumari, A.P.P.

(in Criminal Miscellaneous No. 53480 Of 2025)

For the Petitioner/s : Mr.Pramod Ban Bihari Singh, Advocate

For the Opposite Party/s : Mr.Md. Mushtaque Alam, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 2 19-08-2025 These cases were listed on 16th August, 2025 under the heading 'For Admission' but on that date, facts of the case was not argued by the parties appropriately which was revealed at the time of perusing the order before its pronouncement. Since, facts presented by learned counsel for these petitioners on 16th August, 2025, mismatched with the facts available on the records, this Court directed the office to re-list these cases on 19th August, 2025 under the heading 'To be Mentioned'.

2. Heard learned counsel for the parties.

3. These modification petitions have been filed



seeking modification of order dated 14.3.2023 passed by a co-ordinate bench of this Court in Cr. Misc. No. 27282/2022 heard along with Cr. Mis. No. 28062/2022 by which petitioners were granted provisional bail with certain conditions regarding deposit of agreement money in the court below in a time schedule.

4. Learned counsel for the petitioners submits that there was condition in the agreement dated 19.7.2021 that on refusal of registry by the informant, petitioners shall return entire receipt amount after deducting Rs.14 lacs as contract brokerage, so petitioners may be given relaxation of Rs.14 lacs while depositing the receipt amount in the court below.

5. Learned counsel for the State points out that order under modification does not mention this condition, though the same had been passed on exhaustive hearing of the parties, as such, modification petitions filed by these petitioners, do not have merit and are fit to be dismissed.

6. I find substance in submission made by learned counsel for the State. Accordingly, these modification petitions are dismissed being devoid of merit.

Shashi

(Prabhat Kumar Singh, J)

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