

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48194 of 2025

In
CRIMINAL MISCELLANEOUS No.81647 of 2024

Arising Out of PS. Case No.-282 Year-2022 Thana- BARAUNI RAIL P.S. District- Begusarai

Aditya Kundu @ Adnath Kundo S/o- Late Govind Kundu Resident of village-
Kutch Bihar Ward No. 15 P.S-Kotwali District- Kutch Bihar State- West
Bengal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Ashmita Bharti, Adv.

For the Opposite Party/s : Mr. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 18-07-2025 Heard Ms. Ashmita Bharti, learned counsel for the
petitioner and the State.

2. The present application has been filed for the
modification of order dated 28.11.2024 passed by this Court in Cr.
Misc. No. 81647 of 2024 to remove the condition imposed on
petitioner namely Aditya Kundu @ Adnath Kundo Before the Ld.
Court below because the petitioner has been granted regular bail
vide order dated 28.11.2024.

3. Earlier, the bail application of the petitioner was
allowed on 28.11.2024 taking into account that he is in custody for
two years.

4. Now, the modification petition has been filed and it
is submitted that there is no bailor in the family to provide the



official document and as such, the condition no. 1 be modified to the extent that his brother-in-law be allowed to stand as a bailor.

5. The bail has been granted to the petitioner on 28.11.2024, to the limited knowledge of this Court, the family member/relative includes the brother-in-law. If the petitioner's brother-in-law was there with the bail bond, the concerned Court should have accepted the bail bond as non-acceptance has led him being in custody for more than six months after relief was granted to the petitioner.

6. The order dated 28.11.2024 stands modified and the condition no. 1 is removed from the list. Let the relative/family/brother-in-law/friend of the petitioner be allowed to become bailor so that he immediately comes out of jail, relief having been granted to him on 28.11.2024.

7. Before parting, this Court would like to put on record its word of appreciation for Ms. Ashmita Bharti, learned counsel for the petitioner for proper assistance in the matter.

(Rajiv Roy, J)

Vijay Singh/-

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

