

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75756 of 2025

In
CRIMINAL MISCELLANEOUS No.19307 of 2025

Arising Out of PS. Case No.-667 Year-2024 Thana- FATEHPUR District- Gaya

Abhishek Kumar Tiwary @ Abhishek Tiwary, son of Devendra Tiwary,
resident of Village- Tetardih, Ward No.6, P.S.- Ranka, Dist- Garhwa,
Jharkhand

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dharmendra Singh Raghav,, son of Satyaveer Singh Raghav, resident of
G.M. Projects, S T Construction Pvt. Ltd., Sohana, PS- Fatehpur, Dist- Gaya
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate
For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 07-11-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. This modification application has been filed for
modification of the order dated 02.07.2025 passed in Cr. Misc.
No.19307 of 2025 by which the petitioner was granted
provisional anticipatory bail in Fathehpur PS Case No.667 of
2024, subject to payment of Rs.75,000/- in favour of the ST
Construction Pvt. Ltd., Sohana Pokhar, PS- Fetehpur, District-
Gaya, at the time of furnishing bail bond and the remaining
amount in two equal installments in two consecutive months.

3. Learned counsel for the petitioner submits that in



the order dated 02.07.2025 passed in Cr. Misc. No.19307 of 2025, there is no details of the remaining amount which has to be paid by the petitioner to the ST Construction Pvt. Ltd., Sohana Pokhar, PS- Fatehpur, District- Gaya, and thus, the petitioner could not surrender in the Court below in the light of order dated 02.07.2025 passed in Cr. Misc. No.19307 of 2025.

4. Having heard counsel for the parties, the order dated 02.07.2025 passed in Cr. Misc. No.19307 of 2025 is modified to the extent that a sum of Rs.75,000/- (seventy five thousand) shall be deposited by the petitioner through Demand Draft in favour of ST Construction Pvt. Ltd., Sohana Pokhar, PS- Fatehpur, District- Gaya, at the time of furnishing bail bonds by the petitioner and thereafter further sum of Rs.1,50,000/- (one lakh fifty thousand) shall be deposited by the petitioner in two equal installments within next two consecutive months through Demand Draft in favour of ST Construction Pvt. Ltd., Sohana Pokhar, PS- Fatehpur, District- Gaya.

5. It is clarified that the payment of the above amount i.e., Rs.2,25,000/- (two lakhs twenty five thousand) in three installments of Rs.75,000/- each shall be subject to real cost of the iron rods of 10/12 MM allegedly stolen by the petitioner.

6. The Court below upon deposit the demand drafts as



aforesaid shall hand over the same to the authorized representative of ST Construction Pvt. Ltd., Sohana Pokhar, PS-Fatehpur, District- Gaya.

7. Rest of the conditions of the order dated 02.07.2025 passed in Cr. Misc. No.19307 of 2025 shall remain the same.

8. Four weeks' further time from today is granted to learned counsel for the petitioner to surrender before the Court below in connection with Fatehpur PS Case No.667 of 2024 in terms of the order dated 02.07.2025 passed in Cr. Misc. No.19307 of 2025.

9. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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