

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 5459 of 2015

Along with

Interlocutory Application No. 1325 of 2015

Arising out of

Criminal Miscellaneous No. 43025 of 2014

=====

Sk. Rasul @ Gulam Rasul Son of Late SK Tetar, Resident of Village - Jiya Gachhi, P.S. Sadar (M), District – Purnia.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

=====

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL ORDER

5 26-08-2015

Heard learned counsel for the parties.

The present application has been filed seeking modification in order dated 02.12.2014 passed in Cr. Misc. No. 43025 of 2014 by extending the time granted for confirmation of provisional bail.

Pursuant to order dated 19.08.2015, the Block Development Officer, Araria is present in Court alongwith the Superintendent of Police, Araria. Earlier I.A. No. 1325 of 2015 had been filed on behalf of the Block Development Officer, Araria for recalling of the order dated 19.08.2015 directing for his appearance. However, the same is not pressed having become infructuous.

Show cause has also been filed on his behalf. From the averments made in the Interlocutory Application and

the show cause, it appears that the communication from the learned A.P.P. on 06.08.2015 did not mention that he was to appear before the Court on the next date and thus due to misconception he could not appear. However, on a query of the Court as to why the order of the Court dated 05.08.2015 was not directly obtained by him, he expresses his apology and assures the Court that he shall be careful in future. From the pleadings it further appears that pursuant to the petitioner having filed his representation, as per the dues against him, he has deposited the amount and no dues certificate has also been issued to him on 24.08.2015.

In view of the aforesaid, the petitioner may now move before the Court below in terms of order dated 02.12.2014 passed in Cr. Misc. No. 43025 of 2014 for confirmation of his bail. The time granted for the same thus, stands extended.

The application stands disposed off.

The Court has been assured by the Block Development Officer, Araria that he would be cautious and careful in matters relating to orders passed by the Court. The appearance of the Block Development Officer, Araria stands dispensed with.

(Ahsanuddin Amanullah, J.)

P. Kumar

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