

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35846 of 2015

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1. Md. Jamil Akhtar, S/o Md. Safik, Resident of village- Sarwara, P.S.-
Bajpatti, Dist.- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

2. Mosarrt Bano, W/o Md. Jamil Akhtar, D/o- Md. Moinuddin, Resident of
village- Sarwara, P.S.- Bajpatti, Dist.- Sitamarhi.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Ashok Kr.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 16-09-2015 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner is an accused in Bajpatti P.S. Case No. 216
of 2014 registered for the offences punishable under Sections 341,
323, 498A, 406/34 of the Indian Penal Code pending in the court
of Sub Divisional Judicial Magistrate, Pupari at Sitamarhi.

Petitioner was granted provisional anticipatory bail in
the above stated case by this court vide order dated 20.01.2015
passed in Cr. Misc. No. 2405 of 2015 and a direction was given by
this Court to concerned court to take steps to patch up the dispute

of the parties and if the dispute of the parties is resolved, the provisional bail granted to the petitioner shall be confirmed by the concerned court.

It is pointed out on behalf of the petitioner that in pursuant to order dated 20.01.2015, petitioner surrendered before the court of Sub Divisional Judicial Magistrate, Pupari at Sitamarhi and similarly, the complainant also appeared before the concerned court but unfortunately, on the above stated date the presiding officer of the concerned court was on leave and subsequently, the aforesaid court became vacant and the said court is still lying vacant.

In the aforesaid circumstance, it is prayed for extension of period of provisional bail of the petitioner.

In view of the aforesaid submissions as well as facts and circumstances of the case, the provisional bail granted to the petitioner vide order dated 20.01.2015 passed in Cr. Misc. No. 2405 of 2015 is extended for further period of two months from today.

Let a copy of this order be sent to the learned Sessions Judge, Sitamarhi with direction to him to ensure the transfer of Bajpatti P.S. Case No. 216 of 2014 from the court of Sub Divisional Judicial Magistrate, Pupari at Sitamarhi to any

other functional court.

In the aforesaid manner, this modification petition stands disposed of.

(Hemant Kumar Srivastava, J)

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