

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38200 of 2016

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Doma Rai @ Ram Bilash Rai S/o Late Bajrangi Rai Resident of Village-
Bhado Rasulpur, P.S.- Aurai, District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar

For the Opposite Party/s : Mr. Sri Manoj Kumar - 1

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA

ORAL ORDER

3 28-09-2016

This application is filed for modification of order
dated 22.10.2013 passed in Cr. Misc. No. 42467 of 2012.

Learned counsel appearing on behalf of the petitioner
submits that petitioner has been granted Anticipatory Bail on
22.10.2013 passed in Criminal Miscellaneous No. 42467 of 2012
with a direction to surrender before the court below within a
period of four weeks along with the complainant/informant and
she if supports on due identification factum of compromise with
her free-will and fully consent without any coercion, then the
petitioner be enlarge on bail on furnishing bail bond of Rs.
10,000/- (ten thousand only) with two sureties of the like amount
each to the satisfaction of Chief Judicial Magistrate, Muzaffarpur,
in connection with Aurai P.S. Case No. 32 of 2010, subject to
condition laid down under Section 438 (2) of the Code of
Criminal Procedure. One of the bailors must be agnate of the

petitioner preferably full brother. Further, additional condition to remain physically present before the Court below on each and every date at least for two years or till disposal of the case, whichever is earlier and in case of failure on two consecutive dates without giving any reasonable explanation, the liberty granted shall be deemed to be cancelled. Further submission is that due to suffering from paralytic attack, the petitioner could not surrender before the court below within the stipulated time. Now, the petitioner is in a position to appear before the trial court as such the time for surrender before the court below may be extended.

In such view of the matter, let the time to surrender of the petitioner as ordered in Cr. Misc. No. 42467 of 2012 on 22.10.2013 be further extended by four weeks from today in connection with Aurai P.S. Case No. 32 of 2010 to the satisfaction of Chief Judicial Magistrate, Muzaffarpur.

Accordingly, the modification application is allowed and the order dated 22.10.2013 passed in Cr. Misc. No. 42467 of 2012 is modified to the above extent.

(Rajendra Kumar Mishra, J)

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