

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51363 of 2016

In
Criminal Miscellaneous No.43238 of 2016

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Brij Bihari Singh, Son of Late Ram Lakhan Singh, Resident of village -
Sanbarsha, P.O. Nadaua, P.S. Natwar, District - Rohtas at Sasaram

.... Petitioner/s

Versus

1. The State of Bihar
2. Krishna Kumar Singh, Son of Unknown, Block Education officer,
Kargahar, P.S. Kargahar, District - Rohtas at Sasaram

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Roy, Adv.

For the Opposite Party no.1 : Mr. Abhay Kumar Roy, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 30-11-2016

The petitioner has filed the present application for modification of the order dated 06.10.2016 passed in Cr.Misc.No.43238 of 2016, as contained in Annexure-1, whereby the prayer for anticipatory bail made on behalf of the petitioner in connection with Kargahar P.S. Case No.56 of 2016 (G.R.No.669 of 2016) pending in the court of learned A.C.J.M.-II, Rohtas at Sasaram was allowed with certain conditions including that he shall surrender in the court below and furnish his bail bond within a period of four weeks.

The learned counsel appearing on behalf of the petitioner submits that due to communication gap the petitioner could not surrender in the court below within the time prescribed. Therefore, he could not avail of the privilege of anticipatory bail granted by this Court. He further submits that the period of surrender by the petitioner may be appropriately enlarged so that the petitioner surrenders in the court below and is released on

bail in terms of the order dated 06.10.2016.

After having heard the parties and taking into consideration the materials available on the record, this Court is inclined to accede to the prayer made on behalf of the petitioner. Accordingly, the order dated 06.10.2016 passed in Cr.Misc.No. 43238 of 2016 is modified only to the extent that, if the petitioner surrenders in the court below within a period of four weeks from today, then he shall be released on bail in terms of the order dated 06.10.2016.

The present application stands finally disposed of with the modification in the order dated 06.10.2016 passed in Cr.Misc.No.43238 of 2016 to the extent indicated above.

(Birendra Prasad Verma, J)

Arvind/-

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