

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46850 of 2016

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Chandrakant Rai son of Late Ishwar Dayal Rai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parijat Saurav

For the Opposite Party/s : Mr. Smt. Anusuiya Jaiswal

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 26-10-2016

Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner has filed this modification petition in connection with order dated 05.01.2013 passed in Cr. Misc. No. 13623 of 2013 for extension of time to surrender before the court of Chief Judicial Magistrate, Buxar in connection with Buxar P.S.Case No. 27 of 2013.

Submission on behalf of the petitioner is that petitioner alongwith others was granted privilege of anticipatory bail by this Court vide order dated 05.08.2013 passed in Criminal Misc. No.13623 of 2013 with direction to surrender before the court below within four weeks but before surrender of the petitioner, the police submitted final form showing the petitioner as not sent up for trial and that was the reason, petitioner did not surrender before the trial court. However, the learned court below

differed with the findings of police and took cognizance of the offence on 13.08.2016 but no summons and notices was served upon the petitioner.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this modification petition stands disposed of giving liberty to the petitioner to file fresh anticipatory bail application in accordance with law.

(Hemant Kumar Srivastava, J)

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