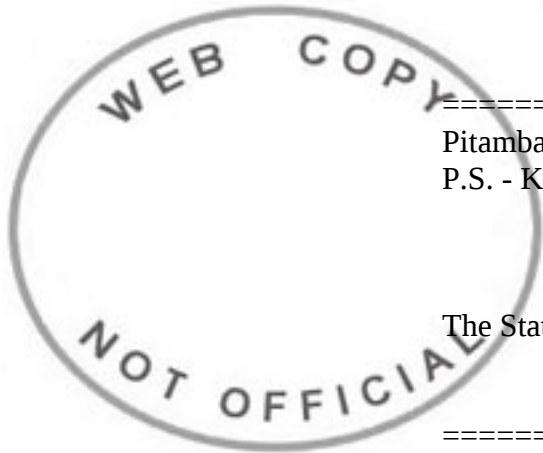


IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15515 of 2016
In
Criminal Miscellaneous No.48016 of 2015



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Pitambar Mishra Son of Ramakant Mishra, Resident of Village - Sherpur,
P.S. - Kotwali, District - Munger.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur, Adv.
Mr. Alok Jha, Adv.

For the Opposite Party/s : Dr. Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 13-07-2016 Heard.

The petitioner has filed the present application seeking modification of the order dated 05.02.2016 passed in Cr. Misc. No. 48016 of 2015, whereby prayer for anticipatory bail made on behalf of the petitioner in connection with Kotwali P.S. Case No. 138 of 2015, pending in the Court of the learned Chief Judicial Magistrate, Munger was allowed with a direction to him to surrender in the court below within a period of four weeks.

The learned counsel, appearing on behalf of the petitioner, has filed a supplementary affidavit in the present case in compliance of the order dated 27.04.2016. He submits that, in fact, the order dated 05.02.2016 could not reach the learned court below. Hence, the petitioner could not surrender in the court below within time. He next submits that in the factual matrices of the case, the period for surrender of the petitioner in the court below may be appropriately extended.

Taking into consideration the pleadings in the present application, the prayer for modification is allowed. Order dated 05.02.2016 passed in Cr. Misc. No. 48016 of 2015 is modified only to the extent that if the petitioner surrenders before the learned court below in connection with Kotwali P.S. Case No. 138 of 2015, on or before 30th July, 2016, then he shall be released on bail with the same terms and conditions as indicated in the order dated 05.02.2016.

The present application stands finally disposed of with the observations and directions made above.

(Birendra Prasad Verma, J)

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