

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3468 of 2016

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1. Saurabh Kumar S/o Late Purshottam Singh R/o Village - Jogiyar, P.S. - Bahadurpur, Dist - Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.
 2. Anima Kumari D/o Sudhakar Prasad Thakur Resident of Village - Mohammadpur, P.S. - Sakra, District - Muzaffarpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lakshmi Kant Tiwary
 For the Opposite Party/s Mr. Gajendra Pd.Yadav(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

02/ 03.02.2016 Heard learned counsel for the petitioner as well as learned Addl. Public Prosecutor for the State.

Petitioner wants modification in order dated 2.7.2015 passed in Cr. Misc.no.36863/2013 by which petitioner was granted privilege of provisional bail for the period of two months with direction to court below to resolve the dispute of the parties even by way of one time settlement and furthermore, court below was given liberty to pass appropriate order on regular bail petition of the petitioner in case of failure to resolve the dispute of the parties.

It appears that due to non-appearance of petitioner, the court below could not succeed to resolve the dispute of the petitioner resulting cancellation of his bail bonds vide order dated 15.9.2015.

In my view, no modification in order dated 2.7.2015 passed in Cr. Misc.no.36863/2013 requires and accordingly, this petition stand dismissed.



However, if the petitioner surrenders before the Chief Judicial Magistrate, Muzaffarpur/ concerned court in connection with Sakra P.S. Case no. 291/2011, concerned court may take steps to resolve the dispute of the parties without taking the petitioner into custody and if the dispute of the parties is not resolved, then in that event, the petitioner shall be taken into custody and after that the court below shall pass appropriate order on the regular bail petition of the petitioner, if any bail petition is filed.

However, aforesaid steps must be concluded by the court below within two weeks from the date of surrender of the petitioner.

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(Hemant Kumar Srivastava,J)

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