

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.18253 of 2016

In

Criminal Miscellaneous No.11735 of 2016

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Jain @ Jian Tiwari @ J.N. Tiwari @ Jon Tiwari Son of Ram Dayal Tiwari,
resident of Village- Madhuapur, P.S.- J.B. Nagar, District- Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Rajendra Pd.Nat(APP)

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 27-04-2016

Heard.

The present application has been filed on behalf of the petitioner for modification of the order dated 18.03.2016 passed in Cr. Misc. No. 11735 of 2016, whereby his prayer for anticipatory bail in connection with Fulwaria P.S. Case No. 53 of 2015 pending in the court of the learned Judicial Magistrate, 1st Class, Gopalganj was rejected with an observation that if he surrenders in the court below within a period of four weeks, then his bail shall be considered and decided on its own merit.

The learned counsel appearing on behalf of the petitioner submits that since the marriage ceremony of the sister of the petitioner was fixed for 20th April, 2016, therefore, he could not surrender in the court below within the time prescribed by this Court.

In view of the averment made in paragraph-4 of the present application, which has not been disputed by the learned Additional Public Prosecutor, prayer for modification is allowed. The order dated 18.03.2016 passed in Cr. Misc. No. 11735 of

2016 is modified only to the extent that if the petitioner surrenders in the court below within a period of three weeks from today, then his prayer for bail shall be considered on its own merit in the light of the observations made in the order dated 18.03.2016 passed in Cr. Misc. No. 11735 of 2016.

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

(Birendra Prasad Verma, J)

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