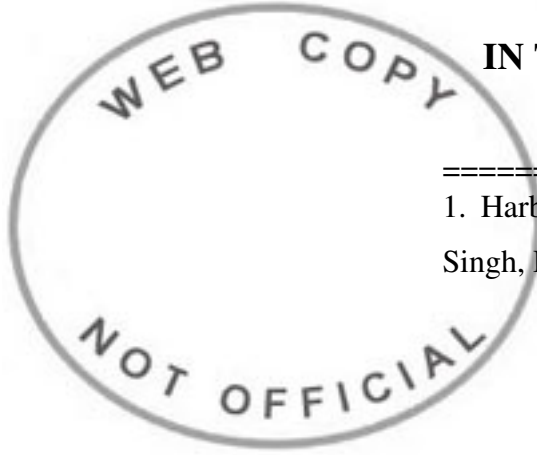




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15979 of 2016

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1. Harbansh Narain Singh @ Haribansh Narain Singh S/o Late Mahagu Singh, Resident of North Sri Krishnapuri, P.s.- Srikrishnapuri, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar through the Vigilance Bureau, Bihar, Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Kumar, Advocate

For the Opposite Party/s : Mr. Ramakant Sharma (Law Off. Vig)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-08-2016

Learned counsel for the petitioner is permitted to make correction in the petition during course of the day.

The present application has been filed for modification of the order dated 01.12.2015, passed in Cr. Misc. No. 53907 of 2015.

Learned counsel for the petitioner confines the prayer only to the extent of extending the period of surrender.

The petitioner's second anticipatory bail application preferred vide Cr. Misc. No. 53907 of 2015 was



disposed of in connection with Special Case No. 94 of 2002, registered under Sections 409, 465, 467, 471, 477A, 120B, 109, 201 of the Indian Penal Code and 13(2) read with Section 13 (1) (d) of the Prevention of Corruption Act.

This Court did not consider the second anticipatory bail application on merits, since it was earlier rejected by a Bench of this Court (now retired), but found the case for consideration of regular bail and disposed of the same with direction to learned court below to dispose of the bail application of the petitioner preferably on the same day, as no useful purpose will be served in putting him custody, since petitioner is aged about seventy years, suffering from prostrate cancer, investigation being concluded and co-accused having been granted bail.

In the circumstances, the period of surrender is extended by four weeks from the date of receipt/production of a copy of this order in connection with Special Case No. 94 of 2002, pending in the court of learned Special Judge, Vigilance, North Bihar, Muzaffarpur.

In view of the facts discussed above, since the investigation has already concluded, it is a case for consideration of regular bail, petitioner is suffering from prostrate cancer, others have been granted anticipatory bail

hence no useful purpose will be served in putting him in custody now. It is expected from the learned court below to dispose of the regular bail application of the petitioner preferably on the same day.

The order dated 01.12.2015 passed in Cr. Misc. No. 53907 of 2015 is modified to the extent indicated above.

Accordingly, this modification application is disposed of.

(Dinesh Kumar Singh, J)

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