

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5206 of 2016

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Sunil Kumar Sah S/O Gopal Sah Resident of village- Choura Perawaha P.S.
Forbesganj District Araria

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Anil Prasad Singh, Advocate.

For the Opposite Party : Mr. Satyaverat Verma (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 19-07-2016 Heard both sides.

This petition is filed for modification of the order dated
26.07.2013 passed in Cr. Misc. No. 38070 of 2011.

It is submitted that the petitioner was granted
anticipatory bail vide order dated 26.07.2013, but the petitioner
could not surrender before the court below within four weeks.

It appears that the anticipatory bail was granted on
26.07.2016 and the petitioner did not appear in court for more than
two years and the petition is filed for modification of the aforesaid
order only 30.01.2016. The modification petition itself is filed
after two and half years and no satisfactory explanation has been
given for not appearing of the petitioner.

Considering the facts aforesaid, I do not find any reason
to modify the order dated 26.07.2013 passed in Cr. Misc. No.

38070 of 2011. Accordingly, this modification petition is dismissed.

However, the petitioner, if so advised, may surrender before the court below within four weeks from the date of receipt/production of a copy of this order and pray for regular bail, his prayer shall be considered on its own merit without being prejudiced by this order and taking into consideration that the petitioner has already been granted anticipatory bail.

(Prabhat Kumar Jha, J.)

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