

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3136 of 2017

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Markandey Rai, S/o late Shyam Narayan Rai, resident of Village- Murero,
P.S. Bhawar Kol District- Gazipur, U.P. At present residing at Lal Bangla,
Bose Bagan, P.S.- Dalmianagar District Rohtas at Sasaram.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ajatshatru, Advocate.

For the Opposite Party : Mr. Rajkishore Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-02-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The present application has been filed for modification
of the order dated 09.01.2017, passed in Cr. Misc. No. 50778 of
2016, by which the petitioner was granted anticipatory bail and he
was to surrender in the court below within a period of six weeks
from the date of order in connection with Dehri P.S. Case No.
457/2016(G.R. No. 867/2016), pending in the court of learned
S.D.J.M. Rohtas at Sasaram.

It has been submitted on behalf of learned counsel for
the petitioner that inadvertently in paragraph no. 1 and prayer
portion of the main anticipatory bail application, 'SDJM, Rohtas at
Sasaram' has been mentioned in place of 'SDJM Dehri, Rohtas,



Sasaram' due to which, in the last paragraph of the aforesaid order also 'S.D.J.M. Rohtas at Sasaram' has been typed. Hence, the petitioner could not surrender in the court below and furnish bail bond within the stipulated period. He also prayed for extending the period of surrender of the petitioner in the court below.

Considering the aforesaid facts and circumstances, the order dated 09.01.2017, passed in Cr. Misc. No. 50778 of 2016 is modified to the extent that in the last paragraph of the said order 'S.D.J.M. Dehri, Rohtas at Sasaram' be read in place of 'S.D.J.M. Rohtas at Sasaram' and also period of surrender of the petitioner in the court below is extended for a further period of two weeks from the date of receipt/production of copy of the order.

The order dated 09.01.2017, passed in Cr. Misc. No. 50778 of 2016, is modified to the extent as indicated above.

The modification application is, accordingly, allowed.

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(Sudhir Singh, J)

