

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.395 of 2017

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1. Sahabuddin Shah, son of Late Nizamuddin Shah, resident of village -
Nirhu Ka Pura Dildar Nagar, P.S. - Dildar Nagar, District - Ghazipur (U.P)

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. I.S.Dwivedi

For the Opposite Party/s : Mr. Sri Madhuranand Jha

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-01-2017 Heard the parties.

It is submitted on behalf of the petitioner that this modification application has been filed for modification in order dated 06.10.2009 passed in Criminal Misc. No.15459 of 2009, wherein anticipatory bail was granted to the petitioner with condition that he will surrender before the court below within a period of four weeks but he could not appear as the learned counsel of the petitioner had not informed the petitioner about the same.

It is further submitted that now the petitioner has filed application for modification so that he may surrender before the court below and his bail bonds, in pursuance of earlier anticipatory bail order, be accepted.

Heard learned A.P.P. also.



Having heard both sides. In view of the fact that in this case though the anticipatory bail was granted to the petitioner with condition to surrender within a period of four weeks but the said information was not given to the petitioner, as such he could not surrender, however, he is ready to surrender now.

In view of the facts as stated above, let the petitioner surrender before the court below and make prayer for regular bail, who will consider this aspect of the matter that earlier anticipatory bail had been granted to the petitioner but he could not appear due to fault of the learned counsel, the court below will pass appropriate order preferably on the same day.

With the aforesaid observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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