

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59479 of 2017

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Yakub, son of Abdul Hamid Sheikh, resident of 34-35, 1st Floor, B.N. Singh Dormitory Building No. 5, Saba Siddik Road, Musafir Khana, Mumbai-400 001.

.... Petitioner/s

Versus

1. State of Bihar
2. Sanjay Kumar, son of Sri Harishchandra Singh, resident of Danaura Bazar, P.S. Dhanaura, Distt. Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Krishan Jha, Advocate.

For the Opposite Party/s : Mr. Upendra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 06-12-2017 Heard learned counsel for the Petitioner and the State.

The instant application has been filed for modification of the order dated 26.7.2017 passed by this Court in Cr. Misc. 34581 of 2017.

Learned counsel for the petitioner has submitted that the petitioner is resident of Mumbai, and, therefore, he is getting difficulty in producing local bailors in terms of the order dated 26.7.2017 passed by this Court in Cr. Misc. 34581 of 2017. It has further been submitted that petitioner will face difficulty in attending the court personally on every date in terms of condition (ii) of the aforesaid order.

In such circumstances, the order dated 26.7.2017 passed by the Court in Cr. Misc. 34581 of 2017 is modified to the



extent that in place of condition (ii), let it be read as follows:

“That both the bailors will be the close relatives of the petitioner having sufficient immovable property and will remain present on each and every day even through his lawyer by filing representation under Section 317 Cr. P.C. and he will be available in court physically as and when required by the court below”.

The order is modified to the extent indicated above.

Further six weeks’ time is granted to the Petitioner from the date of receipt/production of copy of this order to surrender before learned Sub Divisional Judicial Magistrate, Masaurhi, in connection with Complaint Case No. 50C of 2017 in terms of the order dated 26.07.2017 passed by this Court in Cr. Misc.34581 of 2017.

This modification application stands allowed.

(Sanjay Priya, J)

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