

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56054 of 2017

Arising Out of PS. Case No.- Year- Thana- District- Madhubani

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Md. Mubarak S/o Md. Namuddin, R/o Village- Bihari, P.S.- Madhwapur,
District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Safina Khatoon W/o Md. Mubarak, R/o Village- Bihari, P.S.- Madhwapur,
District- Madhubani. At present D/o Md. Hakimshekh, Village- Mathiyani,
Ward No.1, P.S.- Jaleswar, District- Motihari, Nepal.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha

For the Opposite Party/s : Mr. RAJENDRA NATH JHA

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

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

The present application has been filed for modification of the order dated 17.10.2017 passed in Cr.Misc.No. 24907 of 2017, by which the petitioner was granted anticipatory bail in connection with C.R. No.673 of 2014 bearing T.R. No.728 of 2016, pending in the court of Judicial Magistrate, Benipatti, District Madhubani and the petitioner was directed to surrender in the court below within a period of six weeks and furnish bail bond.

Learned counsel for the petitioner submits that due to some unavoidable reasons the petitioner could not surrender in the court below well within time. It is prayed on behalf of the learned counsel for the petitioner that due to inadvertence in the



petition the satisfaction of the court has wrongly been mentioned. The satisfaction of the court be mentioned in the order as 'S.D.J.M., Madhubani in connection with C.R. No.673/2017 bearing T.R. No.728/2017'. It is further submitted that further time may be extended so that the petitioner could surrender in the court below and furnish bail bond.

Considering the submissions made on behalf of the learned counsel for the petitioner and the grounds mentioned in the modification application, the satisfaction portion be read as 'S.D.J.M., Madhubani in connection with C.R. No.673/2017 bearing T.R. No.728/2017' and the period of surrender of the petitioner in the court below is extended for a further period of six weeks from the date of receipt/production of a copy of this order. The rest of the conditions stipulated in the order will be same.

The order dated 17.10.2017 passed in Cr.Misc.No. 24907 of 2017, is modified to the extent as indicated above.

The modification application is, accordingly, disposed of.

Let this order be communicated to the learned court below through e-mail.

Narendra/-

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(Sudhir Singh, J)

