

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56537 of 2018

In
Criminal Miscellaneous No.47156 of 2014

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

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Vijay Dubey, Son of Indradeo Dubey, Resident of Village- Nariyar, P.S.-
Motipur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yugal Kishore

For the Opposite Party/s : Mr.Rajendra Singh Shastriji

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 02-11-2018 The petitioner seeks modification of the order dated 30.04.2015 passed by a Bench of this Court in Cr. Misc. No. 47156 of 2014.

By the aforesaid order, the petitioner was granted bail subject to the condition that his statement about the criminal antecedents shall be verified and that the surety would be furnished by a close relative of the petitioner, who would give an affidavit with genealogy as to how he is related to the petitioner. Certain other conditions also were imposed in the order which need not be stated here.

Learned counsel for the petitioner has submitted that despite the order referred to above having been passed on 30th of April, 2015, the petitioner



could not surrender before the court below within a period of four weeks from the date of passing of the order, which was mandated by the Court as the learned lawyer who was conducting his case died and the order referred to above could not be communicated to the petitioner. However, the application which has been filed for seeking modification of the order does not state as to when did the petitioner learn about the order and his requirement of filing modification petition.

In any view of the matter, since the order is of the year 2015 and no good ground has been made out for modification of the aforesaid order, I am not inclined to accept the prayer. The same is rejected.

However, considering the nature of accusation against the petitioner, the petitioner has the liberty to approach this Court again for grant of bail on merits, if so advised.

With the aforesaid observation, the present petition is disposed off.

(Ashutosh Kumar, J)

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