

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27512 of 2018

In
Criminal Miscellaneous No.9259 of 2018

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

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Sumeet Gupta, son of Sushil Gupta, r/o- House No. 60, Blue Bells, Behind
Prozen Mall, P.s.- Sikal, District- Aurangabad (Maharashtra).

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Prachi Gupta, wife of Shri Sumeet Gupta, d/o- Shri Ratan Kumar Khetan,
Resident of Mohalla Brahmatoli, front of Radhakrishnan School, P.S.-
Muzaffarpur, district- Muzaffarpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nivedita Nirvikar
For the Opposite Party/s : Mr. Rabindra Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-05-2018 Heard learned counsel for the petitioner and learned counsel for
the State.

The present application has been filed for modification of the
order dated 13.4.2018 passed in Cr. Misc. No. 9259 of 2018 by
which the petitioner was granted bail in connection with Complaint
Case No. 1498 of 2016, pending in the Court of learned Sub
Divisional Judicial Magistrate, Muzaffarpur and the petitioner was
directed to surrender and furnish bail bonds in the Court below
within a period of six weeks.

Learned counsel for the petitioner, in light of the statements
made in paragraph nos. 4 to 7 of the modification application, submits
the said Complaint Case No. 1498 of 2016 was transferred from Civil



Court, Muzaffarpur to Civil Court, Patna by a Bench of this Court vide order dated 7.3.2018 passed in Cr. Misc. No. 61799 of 2017 but inadvertently the said fact could not be brought before this Court. After transfer, Complaint Case No. 1498 of 2016 was renumbered as Complaint Case No. 1428 of 2018 and the same is pending before Shri Umesh Rai, learned S.D.J.M., Patna.

Considering the submissions made on behalf of the petitioner and the facts stated in the modification application, the petitioner is directed to surrender and furnish bail bond in the Court of Shri Umesh Rai, learned S.D.J.M., Patna in connection with Complaint Case No. 1498 of 2016 corresponding to Complaint Case No. 1428 of 2018. 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 13.04.2018 passed in Cr. Misc. No. 9259 of 2018 is modified to the extent as indicated above.

The modification application is, accordingly, allowed.

(Sudhir Singh, J)

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