

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43171 of 2018

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Rakesh Kumar @ Rakesh Kumar Mahto, Son of Maheshwar Mahto,
Resident of Village- Dholi Etha, P.S.- Sakra, District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ranjan Kumar, Advocate.

For the Opposite Party : Mr. Kumar Ranjit Ranjan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-07-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The present application has been filed for modification of the order dated 03.05.2018 passed in Cr. Misc. No. 27217 of 2018, by which the petitioner was granted anticipatory bail in connection with Lakhisarai Excise P.S. Case No. 57C2 of 2017, pending in the court of learned Additional District & Sessions Judge 2nd-cum-Special Judge (Excise), Samastipur 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 satisfaction portion may be corrected in the order dated 03.05.2018 passed in Cr. Misc. No. 27217 of 2018 as Additional District & Sessions Judge, 2nd-cum-Special Judge, Excise Act, Lakhisarai in place of Additional District & Sessions Judge 2nd, cum Special Judge (Excise), Samastipur. 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 learned counsel for the petitioner and the grounds mentioned in the modification application, the satisfaction portion in the order dated 03.05.2018 passed in Cr. Misc. No. 27217 of 2018 be read as ‘Additional District & Sessions Judge, 2nd-cum-Special Judge, Excise Act, Lakhisarai in place of ‘ Additional District & Sessions Judge 2nd-cum-Special Judge (Excise), Samastipur 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 03.05.2018 passed in Cr. Misc. No. 27217 of 2018, is modified to the extent as indicated above.

Let this order be communicated to the learned court below



through e-mail.

U.K./-

(Sudhir Singh, J)

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