IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43618 of 2018

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1. Avinash Kumar, son of Bishwanath Yadav, Resident of Village - Haibashpur, P.S. - Rani Talab, P.O. Saidabad, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sudama Prasad Yadav, son of Rajeshwar Prasad Yadav, resident of Village - Kanpa, P.S. - Rani Talab, District - Patna.

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Jagjit Roshan, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 25-07-2018 This application has been filed for modification of the order dated 25.04.2018 passed in Cr. Misc. No.18285 of 2018 by which petitioner has been granted anticipatory bail in connection with **Rani Talab P.S. Case No.73 of 2016** to the satisfaction of **Sub-Divisional Judicial Magistrate, Danapur, Patna**, with certain conditions.

Counsel for the petitioner submits that petitioner is feeling difficulty in complying condition no.(2) by which the petitioner has been directed to be present on each every date fixed by the Court since the petitioner is working as Assistant Professor in the School of Law, Christ University, Bengaluru, and it is not possible for him to be present on each and every date.

In view of such, condition No.(2) of the order dated 25.04.2018 passed in Cr. Misc. No.18285 of 2018 is modified to

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extent that in the event petition under Section 317 Cr. P.C. is filed on behalf of the petitioner and the Court is satisfied with reason given in the aforesaid petition, the Court below will allow him to be represented through the lawyer.

However, the petitioner will remain physically present as and when directed by the Court below.

The order dated 25.04.2018 passed in Cr. Misc. No.18285 of 2018 stands modified to the aforesaid extent.

This Modification Application is, accordingly, allowed.

(Sanjay Priya, J)

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