

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50737 of 2018

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Mithilesh Kumar Mishjra @ Mithlesh Mishra, S/o Govind Mishra, R/o
Vill./ Mohalla- Samadhpura, P.S.- Baheri, District- Darbhanga.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Vinay Kumar Mishra, Advocate.

For the Opposite Party : Mr. Akshay Lal Pandit, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-09-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The present application has been filed for modification of
the order dated 23.07.2018 passed in Cr. Misc. No. 44368 of 2018,
by which the petitioner was granted anticipatory bail in connection
with Hathauri P.S. Case No. 30 of 2017, pending in the court of
Learned 6th Additional Sessions Judge-cum-Special Judge,
Darbhanga 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 23.07.2018 passed in Cr. Misc. No. 44368 of 2018 as '6th Additional Sessions Judge, Samastipur' in place of '6th Additional Sessions Judge-cum-Special Judge, Darbhanga'. 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 23.07.2018 passed in Cr. Misc. No. 44368 of 2018 be read as '6th Additional Sessions Judge, Samastipur' in place of '6th Additional Sessions Judge-cum-Special Judge, Darbhanga', 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 23.07.2018 passed in Cr. Misc. No. 44368 of 2018, is modified to the extent as indicated above.

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

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(Sudhir Singh, J)

