

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75905 of 2018

In
Criminal Miscellaneous No.46936 of 2018

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

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Praphulla Chandra Pathak, S/o Late Rishi Chandra Pathak, R/o Vill.-Nagar
Panchayat Shivhar, Ward No.3, P.S.+Distt.-Shivhar.

... .. Petitioner

Versus

1. The State of Bihar.
2. Sanjay Kumar, S/o Late Kedar Nath Prasad, R/o Muhalla Chiraiyatadh, Devi
Sthan near Postal Park, P.S. Jakkanpur, Distt.-Patna.

... .. Opposite Parties

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Appearance :

For the Petitioner : Mr.Dr. Kamal Deo Sharma, Advocate.
For the State : Mr. Uday Pratap Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-12-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The present application has been filed for
modification of the order dated 07.09.2018 passed in Cr. Misc.
No. 46936 of 2018, by which the petitioner was granted
provisional anticipatory bail in connection with Complaint Case
No. 748 (C) of 2017, pending in the court of learned C.J.M.,
Patna and the petitioner was directed to surrender in the court
below within a period of six weeks and furnish bail bond. The
petitioner was directed to deposit an amount of Rs. 1,00,000/-
(Rupees One Lac Only) in the court below within a period of
four months, which shall be subject to final disposal of the case.



Once the petitioner deposits the aforesaid amount in the court below, the provisional anticipatory bail granted to the petitioner shall be confirmed by the court below itself.

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 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 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. If the petitioner has not deposited an amount of Rs. 1,00,000/-(Rupees One Lac Only) yet, which shall be subject to final disposal of the case, the petitioner is granted further one month time from today to deposit the aforesaid amount of Rs. 1,00,000/- (Rupees One Lac Only) in the court below. The rest of the conditions stipulated in the order will be same.

The order dated 07.09.2018 passed in Cr. Misc. No. 46936 of 2018, is modified to the extent as indicated above.

Let this order be communicated to the learned court



below through e-mail.

(Sudhir Singh, J)

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