

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.53011 of 2018

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Gautam Kumar, S/o Shyamanand Yadav, R/o Vill.- Pipra,
P.S.- Banmankhi, District- Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kr. Singh, Adv.

For the Opposite Party/s : Mr. Murlidhar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 29-08-2018 The petitioner along with others was granted anticipatory bail by order dated 12.11.2014, passed in Cr. Misc. No. 24051 of 2014 in connection with Banmankhi P.S. Case No. 215 of 2013, but with condition that he shall remain physically present before the court below on each and every date till the disposal of the case and the aforesaid privilege was liable to be withdrawn or cancelled on the failure of the petitioner to present himself on two consecutive dates without assigning any reasonable explanation.

The learned counsel for the petitioner has submitted that with the passage of time, the petitioner has



got an appointment at Araria and he finds it very difficult to be present in the sessions trial on all the dates. It has further been submitted that the petitioner is ready to give an undertaking before the Trial Court that he shall definitely appear before the Court concerned as and when required by the Court. It has thus been submitted that the aforesaid condition of physical presence on all dates being highly onerous, the same may be waived.

For the reasons stated in the application, the order dated 12.11.2014 is modified to the extent that the petitioner, above named, shall not be required to be compulsorily present on all dates before the Trial Court, but he shall obtain prior permission from the Court concerned for dispensing with his personal attendance.

With the aforesaid modification in the order dated 12.11.2014, the petition is allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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