

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35223 of 2018

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Kausar Imam, son of Zafar Imam, resident of Village - Deorwa, Police
Station - Lauriya, District - West Champaran at Bettiah.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Masleh-uddin Ashraf, Adv.

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 27-06-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

This application has been filed for modification of
condition No. (2) of the order dated 13.12.2017 passed in Cr.
Misc. 58479 of 2017. The petitioner has surrendered before the
court below and furnished bail bonds.

It is mentioned in paragraph-5 of the modification
application that petitioner is working outside State of Bihar for his
livelihood. Therefore, it is very difficult for him to be present on
each and every date fixed by the court below for his appearance.
Therefore, he prays for modification of condition No. (2) of the
order dated 13.12.2017 passed in Cr. Misc. 58479 of 2017.

In view of such, condition No. 2 of the order dated
13.12.2017 passed in Cr. Misc. 58479 of 2017 is modified to the



extent that if a petition under Section 317 Cr. P.C. is filed in the court below in the event the petitioner is not present as he is earning his livelihood outside the State of Bihar, then the court below will consider the same and pass appropriate order in accordance with law. The petitioner will remain physically present as and when required by the court below.

This Modification application stands disposed off to the extent indicated above.

Let this order be communicated to the Court of Chief Judicial Magistrate, West Champaran, Bettiah, in connection with Lauriya P.S. Case No. 181 of 2016..

(Sanjay Priya, J)

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