

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25240 of 2018

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1. Santosh Kumar Yadav S/o Ram Dheyan Singh Yadav @ Ram Dhayan
Yadav Gram Mahuar Post Sahuka, Mahuwar, Kaimur (Bhabua) Sahu Ka
Mahua, Bihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Saroj Kumar Sharma

For the Opposite Party/s : Mr. Sri Satyendra Narayan Singh

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 09-05-2018 Counsel for the petitioner is permitted to make
necessary correction in the petition in course of the day.

Heard learned counsel for the petitioner.

The present application has been filed for modification
of the order dated 04-04-2011 passed in Cr. Misc. No. 8062 of
2011 to the extent of extending the period of provisional
anticipatory bail, as well as period of surrender.

The petitioner undertakes to confine his prayer to the
extent of extending the period of provisional anticipatory bail, as
well as the period of surrender, which was passed in Cr. Misc. No.
8062 of 2011 vide order dated 04-04-2011.

The petitioner was granted anticipatory bail in a
complaint case registered for the offence punishable under
Sections-467 & 468 of the Indian Penal Code.

It is alleged against the co-accused Tapeshwara Devi to



have executed a sale deed in favour of co-accused Rajesh Kumar Seth by impersonating the complainant. It appears that a Title Suit was filed for the same land at earlier point of time. The petitioner along with four others were granted anticipatory bail vide order dated 04-04-2011 passed in Cr. Misc. No. 8062 of 2011.

It is submitted by learned counsel for the petitioner that due to certain predicaments, he could not surrender and execute the bail bond before the court below.

This court is not inclined to modify the order dated 04-04-2011 passed in Cr. Misc. No. 8062 of 2011, after a lapse of 7 years. However, since the petitioner had been granted anticipatory bail on merits, it is expected from the learned court below to consider the prayer for regular bail of the petitioner in view of the fact that the petitioner was granted anticipatory bail on merits and dispose of the application for regular bail, preferably, on the same day, if, the petitioner surrenders before the court below within period of four weeks from the date of receipt/production of copy of this order in Complaint Case No. 125 of 2010 pending in the court of learned Judicial Magistrate-Ist Class/concerned court, Kaimur at Bhabua.

Accordingly, this application is disposed of.

(Dinesh Kumar Singh, J)

A.K.V./-

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