

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7313 of 2019

In
Criminal Appeal (SJ) No.2698 of 2017

Arising Out of PS. Case No.-310 Year-2017 Thana- DIGHA District- Patna

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ASHUTOSH SINGH @ ASHUTOSH KUMAR SINGH @ PAPPU @
SURESH SINGH Son of Late Akhileshwar Singh Resident of Nirala Nagar,
P.S.-Digha

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Saroj Kumar Sharma
		Smt. Kiran
For the Opposite Party/s :		Mr.Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 07-02-2019 By way of the present modification, the petitioner seeks to modify the order dated 18.09.2017 passed in Cr. Appeal (SJ) No. 2698 of 2017, by which, the petitioner was granted the privilege of anticipatory bail and was directed to surrender before the court below within a period of six weeks for furnishing the bail bonds.

It has been submitted by learned counsel for the petitioner that as the informant has filed another case just after two days after the order of this Court granting anticipatory bail, and due to apprehension that informant would create trouble he could not surrender within the time fixed vide order dated 18.09.2017 and prayed for extension of time for surrender.



Having heard both sides, it appears that the order by which, the petitioner was granted the privilege of anticipatory, was passed on 18.09.2017 and this present modification application has been filed after lapse of more than one year and four months. In such view of the matter, I am not inclined to interfere with the order dated 18.09.2017 passed in Cr. Appeal (SJ) No. 2698 of 2017.

However, the petitioner may surrender before the court below and pray for regular bail and if any such application is filed, the court below shall dispose of the same on the basis of materials available on record as well as after considering the fact that the petitioner was earlier granted the privilege of anticipatory bail but could not surrender due to unavoidable circumstances.

With the above observation, this modification application stands disposed of.

(Vinod Kumar Sinha, J)

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