

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9339 of 2019

Arising Out of PS. Case No.-486 Year-2018 Thana- VAISALI COMPLAINT CASE District-
Vaishali

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PANKAJ DAS Son of Suresh Das R/o Village-Dayalpur, P.S.- Raja Pakar
Barahti O.P., District - Vaishali.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR.
2. Surji Kumari, aged about 21 years {Female}, wife of Pankaj Kumar,
daughter of Asharfi Das, resident of village-Beraï Chakmida, P.S. Sadar,
Hajipur, District-Vaishali.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Jitendra Kumar Pandey
For the Opposite Party/s	:	Mr.Anand Mohan Prasad Mehta

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

5 17-08-2019 This case has been listed under the heading “To Be
Mentioned” at the instance of the learned counsel for the
petitioner.

Learned counsel for the petitioner submits that vide
order dated 18.02.2019, while issuing the notice to the opposite
party no.2, a Bench of this Court directed that, in the
meanwhile, if the petitioner, above named, is sought be arrested,
he shall be released on provisional bail on furnishing bail bond
of Rs.10,000/-(Ten Thousand), with two sureties of the like
amount each, to the satisfaction of learned S.D.J.M. Vaishali at
Hajipur, in Case No.C-1 486 of 2018 (Tr. No.3215 of 2018) and,
accordingly, the petitioner, above named, furnished bail bond in



the court below and was released on provisional anticipatory bail but in the last paragraph of the order dated 08.08.2019 passed by this Court, instead of confirming the provisional anticipatory bail as granted to the petitioner, above named, vide order dated 18.02.2019 passed by a Bench of this Court, it has been incorporated that “Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond or Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Vaishali at Hajipur, in connection with C-1 486/2018, Tr. No.3215 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.” In above view of the matter, learned counsel for the petitioner prays for modification in the order dated 08.08.2019 passed by this Court in this regard.

In view of the submission of the learned counsel for the petitioner, let the last paragraph of the order dated 08.08.2019 passed by this Court be read as “the provisional anticipatory bail granted to the petitioner vide order dated 18.02.2019 passed by a Bench of this Court is, hereby, confirmed” in place of “Having regard to the facts and



circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond or Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Vaishali at Hajipur, in connection with C-1 486/2018, Tr. No.3215 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.”

The order dated 08.08.2019 passed by this Court is, accordingly, modified to the above extent.

(Rajendra Kumar Mishra, J)

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