

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24976 of 2019

In
CRIMINAL MISCELLANEOUS No.18713 of 2019

Arising Out of PS. Case No.-793 Year-2018 Thana- TURKAULIYA District- East
Champanan

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Sheikh Mashiullah @ Jyaul Haque, S/O Late Sheikh Irshad, R/O- Village -
Bichla Tola Shankar Saraiya, P.S. Turkauliya, Dist- East Champanan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Surendra Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-05-2019 The present application has been filed for

modification of order dated 01.04.2019 passed in Cr. Misc. No.

18713 of 2019.

It appears that the Criminal Miscellaneous application was filed for grant of regular bail in connection with Turkauliya P.S. Case No. 793 of 2018 and the petitioners were granted regular bail vide order dated 01.04.2019 but at page no. 2 of the order it has wrongly been recorded as “petitioner be released on provisional bail”. At page nos. 2 and 3 of the order it was also recorded as “subject to the condition as laid down under Section 438(2) of the Cr.P.C. Let the learned Court below issue notice to the informant’s sister and on her appearance, the petitioner will take her to keep her as wife with full dignity and honour. The



provisional bail of the petitioner will be confirmed by the learned Court below in three eventualities (i) if the matrimonial harmony is substantially restored, or (ii) if the informant fails to appear before the learned Court below, or (iii) if the informant deliberately gets reluctant to reconcile the issue.”

Let the last portion of the order dated 01.04.2019 page nos. 2 and 3 be read as “considering the undertaking of the petitioner mentioned in paragraph 11 of the main petition to the effect that he is ready to keep his wife with full dignity and honour and period under custody, the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Turkauliya P.S. Case No. 793 of 2018.”

In the circumstances, the order dated 01.04.2019 passed in Cr. Misc. No. 18713 of 2019 is modified to the extent indicated above.

Accordingly, this application is disposed of.

(Dinesh Kumar Singh, J)

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