

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65719 of 2018

In
Criminal Miscellaneous No.42923 of 2018

Arising Out of PS. Case No.- Year- Thana- District- Rohtas

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1. Shankar Singh son of Late Bigan Singh R/o Village Chikai, P.S.- Daltanganj, District-Anuair (Jharkhand) presently posted as A.S.I. P.S.-Kachwa, P.S.-Khachwa, District-Rohtas
 2. Parsuram Paswan son of Late Bahadur Paswan R/o Village Laxmipur, P.S.-Piparti, District- Bhagakpur, presently posted as Constable 803 P.S. Kachwa, P.S.-Kochwa District-Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The State of Bihar through the Vigilance

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sangiv Kumar, Advocate

For the Opposite Party/s : Mr. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 02-01-2019 Heard learned counsel for the petitioners and learned
counsel for the State.

This application under Section 482 of the Code of Criminal Procedure has been filed by the petitioners for modification of the order dated 19.07.2018 passed in Cr. Misc. No.42923 of 2018.

By order dated 19.07.2018 passed in Cr. Misc. No.42923 of 2018, the petitioners were directed to be released on bail in the event of arrest or surrender before the court below within four weeks on furnishing bail bond and sureties to the



satisfaction of learned Special Judge, Vigilance-1, Patna in connection with Kachwa P.S. Case No.29 of 2018 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

It is submitted by the learned counsel for the petitioners that after the order was passed the same was not communicated to the court below till 08.08.2018. On 09.08.2018 the petitioners deposited rupees one hundred fifty in the office as cost of communication of the order through fax in the High Court. Thereafter, on 13.08.2018 they went to the court of Special Judge, Vigilance-1, Patna for furnishing bail bond and sureties, but the application could not be moved on that day. On the next day i.e. on 14.08.2018 Civil Court was suddenly closed due to death of a practicing lawyer and the next day being 15th August was an official holiday. That is how the stipulated time for furnishing bond and sureties expired. A prayer is made to modify the order dated 19.07.2018 by granting two weeks more to the petitioners to appear and furnish bail bond and sureties as directed by the Court.

Learned counsel for the State does not oppose the application filed by the petitioners.

Considering the submissions made above, the prayer



is allowed.

The order dated 19.07.2018 passed in Cr. Misc. No.42923 of 2018 is modified to the extent that the petitioners may surrender before the court below within two weeks from today and furnish bail bond and sureties as directed by the Court.

(Ashwani Kumar Singh, J)

Md. S/-

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