

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32395 of 2019

In
CRIMINAL MISCELLANEOUS No.1870 of 2019

Arising Out of PS. Case No.-579 Year-2017 Thana- GAYA COMPLAINT CASE District-
Gaya

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1. MD. SAMSHER KHAN @ SAMSER KHAN Son of Late Halim Khan Resident of Village- Atrauli, P.S.- Obra, District- Aurangabad.
 2. Md. Noor Khan @ Noor Hasan Khan Son of Late Halim Khan Resident of Village- Atrauli, P.S.- Obra, District- Aurangabad.
 3. Sairun Nisha Wife of Md. Noor Khan @ Noor Hasan Khan Resident of Village- Atrauli, P.S.- Obra, District- Aurangabad.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Saba Praven Wife of Samsher Khan @ Samser Khan, D/o Salauddin Khan Resident of Village- Atrauli, P.S.- Obra, District- Aurangabad, at present resident of Village- Khandail, P.S.- Sherghati, District- Gaya.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivendra Prasad
For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 19-06-2019 Heard learned counsel for the petitioners and

learned APP for the State.

2. This application has been filed on behalf of the petitioners seeking modification of para 5(iii) of the order dated 15.01.2019 passed in Cr. Misc. No. 1870 of 2019 exempting the physical presence of the petitioner no. 2 before the learned Court below on each and every date as he is employed at New Delhi.



3. Owing to the extenuating circumstances as described in the modification petition, para 5(iii) of the order dated 15.01.2019 passed in Cr. Misc. No. 1870 of 2019 shall be modified to read as follows :

“5(iii) That the petitioner nos. 2 and 3 shall be well represented and the petitioner no. 1 shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to cancelled by the learned Court concerned.”

4. The modification petition stands allowed.

(Vikash Jain, J)

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