

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35031 of 2019

In
CRIMINAL MISCELLANEOUS No.14663 of 2018

Arising Out of PS. Case No.-29 Year-2017 Thana- MATIYARIA District- West Champaran

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KALIMULLAH SAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arif Daula Siddiquie

For the Opposite Party/s : Mr.Rita Verma

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 03-07-2019 This application has been filed for modification of order dated 30.03.2018 passed in Cr. Misc. No. 14663/2018, by which petitioners have been granted anticipatory bail in connection with Matiyariya P.S. Case No. 29/2017 to the satisfaction of learned J.M. 1st Class, Bettiah, West Champaran.

Learned counsel for the petitioners has submitted that petitioners are poor persons and earn their livelihood outside the State. They are facing hardship in managing their day to day livelihood due to condition no. 2 given in order dated 30.03.2018 passed in Cr. Misc. No. 14663/2018 that *petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will*



automatically cancel bail bond of the petitioners.

In view of such, order dated 30.03.2018 passed in Cr. Misc. No. 14663/2018 is modified to the extent that petitioners shall file necessary petition in the court below under Section 317 Cr.P.C. on the date fixed in the case. The court below shall pass appropriate order on such petition in accordance with law.

The petitioners will remain present physically on the dates as and when required by court below.

This Modification Petition is accordingly allowed.

(Sanjay Priya, J)

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