

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53784 of 2019

In
CRIMINAL MISCELLANEOUS No.8473 of 2019

Arising Out of PS. Case No.-636 Year-2017 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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MD. SALAMUDDIN ANSARI @ SALAMUDDIN ANSARI Son of
Nasruddin Mina @ Nathuni Mian Resident of Village-Vishunpur, P.S.-Pipra,
District-East Champaran.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Farhat Athar D/o Tahir Hussain Resident of Village-Kalyanpur, P.S.-
Kalyanpur, District-East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dilip Kumar Tondon
For the Opposite Party/s : Mr.Sanjay Kumar Sharma

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 28-08-2019 This modification application has been filed for

modification of order dated 28.06.2019 passed in Cr. Misc. No.

8473 of 2019, by which, the prayer of the petitioner for grant of

anticipatory bail has been disposed of with certain direction and

he was directed to surrender in the court below on 08.07.2019

and the opposite party no. 2 was also directed to remain present

on that date

Submission of learned counsel for the petitioner is

that as there was strike of lawyers in the Motihari Civil Court on

08.07.2019, he could not surrender in the court below as per the

direction of this Court and thus prayed for modification of



order dated 28.06.2019 passed in Cr. Misc. No. 8473 of 2019
and for extension of time.

Heard learned APP also.

Having heard both sides, so far the plea that there was
strike on 08.07.2019 of lawyers in the court below is concerned,
the same does not debar the petitioner to appear personally
before the court below and file any petition and on such plea, I
am not inclined to modify the order dated 28.06.2019 passed in
Cr. Misc. No. 8473 of 2019, however, if the petitioner
surrenders in the court below along with opposite party no. 2
and make prayer for regular bail and files an affidavit that he is
ready to keep the opposite party no. 2 with full honour and
dignity, the court below will consider the same and will dispose
of the prayer of the petitioner for grant of regular bail in terms
of order dated 28.06.2019 passed in Cr. Misc. No. 8473 of 2019,
without being prejudiced by this order.

Accordingly, this modification application is
dismissed.

(Vinod Kumar Sinha, J)

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