

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57649 of 2019**

In

CRIMINAL MISCELLANEOUS No.22964 of 2019

Arising Out of PS. Case No.-1466 Year-2018 Thana- SIWAN COMPLAINT
CASE District- Siwan

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1. VIPIN KUMAR GUPTA Son of Late Payare Lal Resident of Village - Subodh Nikunj, Jaideo Nagar, P.S.- Kotwali, Y.D. College, Dist.- Lakhimpur Khiri, Uttar Pradesh.
 2. Aman Gaurav @ Mun Son of Vipin Kumar Gupta Resident of Village - Subodh Nikunj, Jaideo Nagar, P.S.- Kotwali, Y.D. College, Dist.- Lakhimpur Khiri, Uttar Pradesh.
 3. Gyan Prakash Gupta Son of late Bihari Lal Resident of Village - Pastal Park, P.S.- Jakkanpur, Road No.3, Commerce Avenue, Kankarbagh, Dist.- Patna.
 4. Mukund Lal Goel Son of Late Narsingh Das Resident of Village - Sheshpur Goel Kothi, P.O.- Gita Press , P.S.- Rajghat, Dist.- Gorakhpur, Uttar Pradesh.

... .. Petitioners

Versus

1. THE STATE OF BIHAR
2. Dr. Parmeshwar Prasad Goel Son of Prabhushankar Prasad Resident of Village - Guthani Bazar, P.S. - Guthani, Dist.- Siwan.

... .. Opposite Parties

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Appearance :

For the Petitioners : Mrs. Madhuri Lata, Advocate.
For the Opposite Party: Mr. Ramchandra Sahni, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 18-09-2019

The present petition has been filed for modification of condition no. (iv) for grant of anticipatory bail by order dated 11.04.2019 requiring the petitioners to be physically present each and every date during trial.

2. It is submitted that the petitioner no. 1 is a resident of Uttar Pradesh and he is an aged person of about 71 years suffering from various diseases such as Psycosis, high blood pressure, vision loss etc. Petitioner no. 2 is also a resident of



Uttar Pradesh and is working at Chandigarh and he is the sole earning member in the family. It is submitted that the petitioner no. 3 is 58 years old and is also suffering from various diseases. Petitioner no. 4 is aged about 79 years suffering from many old age disease and resides at Gorakhpur, Uttar Pradesh. It is therefore submitted that the petitioners would be put to undue hardship in compliance of condition no. (iv) requiring physical presence before the learned Court below.

3. In the above circumstances and having regard to the submission on behalf of the petitioners, condition no. (iv) for grant of anticipatory bail by order dated 11.04.2019 shall be treated sufficiently complied with if the petitioners are well represented in Court on each and every date during trial except as and when directed by the learned Court below to be physically present, instead of their physical presence, and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

4. The modification stands disposed of.

(Vikash Jain, J)

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