

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59288 of 2019

In
CRIMINAL MISCELLANEOUS No.2041 of 2019

Arising Out of PS. Case No.-1803 Year-2015 Thana- COMPLAINT CASE District- Banka

1. Arun Hari @ Arun Kumar, Son of Sakaldeo Hari, Resident of Village-Kursela, Police Station-Kursela, District-Katihar.
2. Sakaldeo Hari, Son of Late Charira Hari, Resident of Village-Kursela, Police Station-Kursela, District-Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nikki Kumari, Wife of Arun Hari @ Arun Kumar, Resident of Village-Kursela, P.S.-Kursela, District-Katihar. At present D/o Late Sudin Hari, R/o village-Karhariya, Ward no.10, Police Station-Banka, District-Banka.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee
For the Opposite Party/s : Mr. Ramchandra Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 25-09-2019 This application has been filed for modification of the order dated 26.03.2019 passed in Criminal Misc. No. 2041 of 2019.

Earlier petitioner was granted anticipatory bail, vide order dated 26.03.2019 passed in Criminal Misc. No. 2041 of 2019 with condition that he has to surrender before the learned court below within a period of six months.

Submission of learned counsel for the petitioner is that the modification application has been filed on the ground that petitioner is residing at another district, as such, he could



not appear before the learned court below.

Heard learned APP also.

Having heard both sides, considering the submissions, I am not inclined to interfere with the earlier order passed by this Court. However, if petitioner surrender before the learned court below and make prayer for regular bail, the learned court below shall consider the above aspect of the matter that earlier petitioner was granted anticipatory bail, but due to some inadvertence, he could not appear and considering the same, the prayer for bail of the petitioner to be disposed of, if possible on the same day.

With the aforesaid, this application is dismissed.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

U		T	
---	--	---	--

