

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70397 of 2019

In
CRIMINAL MISCELLANEOUS No.23683 of 2019

Arising Out of PS. Case No.-383 Year-2017 Thana- PATNA COMPLAINT CASE District-
Patna

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ANIL MAHTO Son of Late Chandradeo Mahto Resident of Village -
Narayanpur, P.S.- Ghoshwari, Distt.- Patna.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR.
2. Renu Devi W/o Anil Mahto, D/o Lapeswar Mahto Resident of Village -
Narayanpur, P.S.- Ghoshwari (Samayagarh), Distt.- Patna, D/o Lapeswar
Mahto, R/o Belchi Bigha, Govindpur, P.S.- Belchi, Distt.- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey
For the Opposite Party/s : Mr.Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

- 2 06-11-2019 This modification application has been filed for

modification of order dated 09.08.2019 passed in Criminal

Misc. No. 23683 of 2019, by which the petitioner has been

granted the privilege of anticipatory bail with certain

observation that “ petitioner to surrender by 19.08.2019 and on

the condition that he will pay Rs.3000/- per month to opposite

party No. 2 for a period of one year and during that period it is

expected that opposite party No. 2 shall move for grant of

maintenance by filing an application under Section 125 Cr.P.C.

and petitioner has to abide by any interim or final order passed

in the maintenance case. Till the same is set aside by any higher



Court, the petitioner shall be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M.- III Barh, Patna, in connection with Complaint Case No. 383 (C) of 2017, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and further condition is that one of the bailors shall be a local person having sufficient immovable property within the jurisdiction of court concerned”.

Submission of learned counsel for the petitioner is that inadvertently petitioner could not appear on the date fixed but he is ready to abide by aforesaid condition if time is extended.

Heard learned A.P.P. also.

Having heard both sides and considering the above facts, this modification application is allowed with direction to the petitioner to surrender by 21.11.2019. Rest part of the order shall remain intact.

It is made clear that no further indulgence will be granted to the petitioner.

(Vinod Kumar Sinha, J)

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