

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.77691 of 2019**

**In**  
**CRIMINAL MISCELLANEOUS No.26141 of 2019**

Arising Out of PS. Case No.-996 Year-2016 Thana- MUNGER COMPLAINT CASE  
District- Munger

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VISHAL PASWAN @ ABHAY KUMAR PASWAN @ ABHAY KUMAR  
Son of Bhola Paswan Resident of Quarter No. ACC AQ T/8, Block - C, Dixon  
Road, Railway Quarter, P.S.- Ishakchak, District - Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mahendra Prasad Son of Late Brihaspati Prasad Singh Resident of Bari Keshopur, P.S.- Jamalpur, District - Munger.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Praveen Kumar  
For the Opposite Party/s : Mr.Rajiv Nayan

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      18-12-2019                      This modification application has been filed for modification of order dated 05.07.2019 passed in Cr. Misc. No. 26141 of 2019, by which, the petitioner has been granted the privilege of anticipatory bail and he was directed to surrender in the court below within a period of six weeks.

Submission of learned counsel for the petitioner is that due to misconception and wrong impression, the petitioner could not surrender within the time prescribed by the Court and, thus, prayed for modification of order 05.07.2019 passed in Cr. Misc. No. 26141 of 2019.

Heard learned APP also.



Having heard both sides, considering the facts and circumstances, this court is not satisfied with the ground taken by the petitioner for modification of order dated 05.07.2019 passed in Cr. Misc. No. 26141 of 2019. However, if the petitioner surrenders in the court below and make prayer for regular bail, the court below after considering the fact that petitioner was earlier granted the privilege of anticipatory bail, shall dispose of the prayer of the petitioner for grant of regular bail, if possible on same day, without being prejudiced by this order.

Accordingly, this modification application is disposed of.

**(Vinod Kumar Sinha, J)**

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