

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70553 of 2019

In
CRIMINAL MISCELLANEOUS No.46041 of 2019

Arising Out of PS. Case No.-62 Year-2019 Thana- BHAGWANPUR District- Kaimur
(Bhabua)

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1. ALOK KUMAR Son of Banwari Bind Resident of Village- Baraka Gaon,
P.S.- Belaon, District- Kaimur at Bhabua.
 2. Sunita Devi @ Sunita Kumari Wife of Alok Kumar Resident of Village-
Baraka Gaon, P.S.- Belaon, District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar..... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey
For the Opposite Party/s : Mr.Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 06-11-2019 This modification application has been filed for modification of order dated 30.09.2019 passed in Cr. Misc. No. 46041 of 2019 by which the application of the petitioner was disposed of with direction to the petitioner to surrender in the Court below on 16.10.2019 and on surrender, the Court below shall verify as to whether the process under Section 82 Cr.P.C. has been complied against the petitioners or not and if it is found that the process has not been complied, the Court below shall release the petitioners on bail to his own satisfaction, otherwise, the petitioners will have to surrender and pray for regular bail.

It has been submitted that during pendency of the anticipatory bail application process under Section 82 of the Cr.



P.C. has been issued and as such he has come for modification for above order.

Heard learned A.P.P. also.

Having heard both sides, and considering the above facts, I am not inclined to interfere with the order dated 30.09.2019 passed in Criminal Misc. No. 46041 of 2019. however, if the petitioners surrender in the Court below and make prayer for regular bail, the Court below shall dispose of the prayer of the petitioners for grant of regular bail if possible on same day, without being prejudiced by this order and shall also consider the name of the petitioner No. 1 as Alok Kumar son of Banwari Bind.

Accordingly, this modification application is disposed of.

(Vinod Kumar Sinha, J)

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