

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2631 of 2020

In
CRIMINAL MISCELLANEOUS No.41161 of 2019

Arising Out of PS. Case No.-99 Year-2018 Thana- KACCHWA District- Rohtas

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NIRMAL TIWARY Son of Mahanand Tiwary Resident of Village - and PO. -
Kaithi, P.S.- Kachhawan, Distt - Rohtas at Sasaram

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Sunarawati Devi Wife of Samakant Pandey Resident of Village - Sikti, P.O. -
Bagwa, P.S.- Garhani, Distt - Ara at Bhojpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anita Kumari
For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 26-02-2020 This modification application has been filed for

modification of order dated 21.11.2019 passed in Cr. Misc. No.

41161 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 six months.

Submission of learned counsel for the petitioner is

that due to some inadvertence, the petitioner could not surrender

within the time prescribed by this Court and thus he prayed for

modification of order dated 21.11.2019 passed in Cr. Misc. No.

41161 of 2019 and for extension of time to surrender in the

court below.

Heard learned APP also.



Having heard both sides, considering the facts and circumstances of the case, I am not inclined to modify the order dated 21.11.2019 passed in Cr. Misc. No. 41161 of 2019. However, petitioner is at liberty to surrender in the court below and make prayer for regular bail, which will be disposed of by the court below on the merit of the case, without being prejudiced by this order and also after considering the fact that petitioner was earlier granted the privilege of anticipatory bail, however, he could not surrender within the time due to some inadvertence.

Accordingly, this modification application is dismissed.

(Vinod Kumar Sinha, J)

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