

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.3663 of 2020**

**In
CRIMINAL MISCELLANEOUS No.46321 of 2019**

Arising Out of PS. Case No.-93 Year-2018 Thana- KATIHAR COMPLAINT CASE District-
Katihar

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Arun Kumar @ Arun Kumar Sahani, Son of Ramu Sahani, Resident of
Village - Sinha, P.O.- Jallowal, Khannr, P.S.- Wabbewal, Dist.- Hoshiyarpur
(Punjab). Petitioner

Versus

1. The State of Bihar
2. Dhanjani, W/o Arun Kumar, D/o Ganga Sahani, Resident of Village -
Madheli, P.O.- Jalahi, P.S.- Barari, Dist.- Katihar.
... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr.Harish Chandra Patel, Advocate
For the Opposite Party/s : Mr.Anish Chandra, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 22-06-2020 Learned counsel for the petitioner submits that in fact

the petitioner in this case was granted provisional bail vide order
dated 26.07.2019 passed in Cr. Misc. No. 46321 of 2019 by a
learned co-ordinate Bench of this Court and pursuant to the said
order the petitioner had already surrendered and submitted the bail
bond with two sureties. It is submitted that this fact, however,
escaped the notice of the Court and at the same time learned
counsel for the petitioner and the State also failed to point out that
a bail bond has already been furnished in the court below.

It is submitted that in view of the aforesaid fact the part
of the order by which the petitioner in case of his arrest or
surrender had been directed to furnish bail bond with two sureties



is required to be deleted and in place thereof this Court has to only confirm the bail which had been granted earlier provisionally.

Mr. Anish Chandra, learned A.P.P. for the State does not object and raise any objection to the prayer made on behalf of the petitioner.

In the aforesaid view of the matter, let the part of the order 26.09.2019 passed in Cr. Misc. No. 46321 of 2019 by which this Court has directed in usual manner that in the event of the arrest or surrender of the petitioner he will be released on bail on furnishing bail bond of Rs. 15,000/- with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Katihar be deleted and in place thereof, this Court directs that the provisional bail granted to the petitioner vide order dated 26.07.2019 is hereby confirmed, subject to the conditions laid down under Section 438(2) Cr.P.C. and further condition as per last paragraph of the order dated 26.09.2019 shall remain intact.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

