

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.23544 of 2020**

**In**  
**CRIMINAL MISCELLANEOUS No.19973 of 2020**

Arising Out of PS. Case No.-526 Year-2019 Thana- HILSA District- Nalanda

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RAKESH KUMAR @ GUDDU KUMAR S/o- Late Jay Ram Prasad R/o  
Village- Kapasiyawan, P.S.- Hilsa, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Pushpendra Priyedarshi

For the Opposite Party/s : Mr.A.G

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      16-09-2020                      This matter is taken up for consideration through  
  
Video Conferencing under the orders of Hon'ble the Chief  
  
Justice.

This application has been filed for modification of  
order dated 30.06.2020 passed in Cr. Misc. No. 19973 of 2020,  
whereby the regular bail of the petitioner in connection with  
Hilsa P.S. Case No. 526 of 2019 has been rejected with a  
direction to the petitioner to surrender and seek regular bail  
within a period of six weeks from the date receipt of the order.

It is submitted on behalf of the petitioner that by  
mistake in earlier petition, provision of law was wrongly typed  
and hence, it was treated as anticipatory bail. As a matter of fact,  
petitioner is in custody since 02.12.2019 for more than seven



months.

Counsel for the State opposed the bail application and submitted that petitioner is husband and it is case of dowry death in which deceased died due to strangulation.

Considering the aforesaid facts, this modification application is accordingly, dismissed.

**(Prabhat Kumar Singh, J)**

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