

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 71927 of 2019**

**In
CRIMINAL MISCELLANEOUS No.36206 of 2019**

Arising Out of PS. Case No.-478 Year-2018 Thana- DINARA District- Rohtas

DEOBANSH PATHAK, S/o Sri Jagarnath Pathak, R/o village- Pathak
Semari, P.S.- Sheosagar, District- Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Roy

For the Opposite Party/s : Mr.Renu Kumari

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

5 03-02-2020 Heard the parties.

The present application has been filed for modification of the order dated 06.09.2019 passed in Cr. Misc. No. 36206 of 2019 for extending the period of surrender.

When this case was called on 11.12.2019, learned counsel for the petitioner submitted that SDJM. Vikramganj, Rohtas has refused to comply the order dated 06.09.2019 passed in Criminal Miscellaneous No. 36206 of 2019.

In view of the above, notice was issued to the S.D.J.M., Bikramganj to explain as to why he has disobeyed the order of this court.

S.D.J.M., Bikramganj has filed his show cause reply in which he has stated that the learned Advocate of the petitioner came and submitted that he was to file bail in the light of the order of Hon'ble Court but there was no documents relating to the



completion of the work. When he was asked to file bail petition with the documents showing the completion of work as per the direction of Hon'ble High Court he said that he would come with documents but he never came before the court for surrendering the petitioner.

The explanation submitted by S.D.J.M., Vikramganj, Rohtas is accepted.

This modification application is disposed of with a direction to the petitioner to surrender before the court below within a period of three weeks and produce documents showing completion of work before the court below, who will release him on provisional bail for a period of 2 months to his own satisfaction and get that documents verified by the appropriate authority. Once report is received and the court below is satisfied with the same, the bail bonds of the petitioner shall be confirmed, otherwise petitioner has to surrender and pray for regular bail.

Accordingly, this application is disposed of.

(Vinod Kumar Sinha, J)

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