

IN THE HIGH COURT OF JUDICATURE AT PATNA

Cr. Misc. No. 46143 of 2021

Vikram Kumar @ Vikash Chandra Mishra @ Bikash Chandra Mishra,
s/o late Narayan Mishra, resident of vill-Dhawalpura, PS- Bath, Dist-
Bhagalpur Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha, Advocate
For the State : Mr. Dasrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 18-08-2021 The present petition has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of COVID-19 Pandemic, requiring social distancing.

The present petition has been filed for modification of the order dated 12.02.2018, passed in Cr. Misc. no. 1055 of 2018, to the extent that the earlier order dated 17.01.2018 passed in the same case, may be made absolute.

This Court finds that when the aforesaid case bearing Cr. Misc. no. 1055 of 2018 was taken up for hearing on 17.01.2018, though the case diary of the connected Tarapur PS case no. 33 of 2016 was called for from the learned court of S.D.J.M., Munger,



but the petitioner was directed to be released on provisional bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Munger. However, subsequently, the aforesaid case bearing Cr. Misc. no. 1055 of 2018 was disposed of by an order dated 12.02.2018 and this Court was pleased to grant the privilege of anticipatory bail to the petitioner herein, however instead of making the aforesaid order dated 17.01.2018 absolute, the petitioner was again directed to surrender before the learned court below and furnish bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Munger, whereupon he was directed to be enlarged on bail. It appears that it was not brought to the notice of this Court that in pursuance of the earlier Order dated 17.01.2018, the petitioner had already surrendered before the learned S.D.J.M. Munger in connection with Tarapur PS case no. 33 of 2016 and furnished bail bonds, whereafter he had been enlarged on bail. The Ld. Counsel for the petitioner has thus submitted that in such view of the matter, the learned court below has asked the petitioner to get the matter clarified from the Hon'ble Patna High Court.

Hav: facts and circumstances of the case,



it is clarified that the petitioner would now not be required to furnish separate/additional bail bonds in terms of the order dated 12.02.2018, in view of the fact that he has already furnished the requisite bail bonds to the satisfaction of the learned Court of S.D.J.M., Munger, in view of the order of this Court dated 17.01.2018, whereafter, the petitioner has also been enlarged on bail. Therefore, the last paragraph of the order dated 12.02.2018, passed in Cr. Misc. no. 1055 of 2018, to the extent, the petitioner has been again directed to surrender before the learned court below and furnish bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Munger is deleted and the order dated 17.01.2018 passed in Cr. Misc. no. 1055 of 2018 is made absolute.

The present petition stands disposed of with the aforesaid modification in the order dated 12.02.2018, passed in Cr. Misc. no. 1055 of 2018.

(Mohit Kumar Shah, J)

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