

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54304 of 2021**

**In
CRIMINAL MISCELLANEOUS No.6664 of 2021**

Arising Out of PS. Case No.-271 Year-2018 Thana- GOPALGANJ TOWN District-
Gopalganj

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PINTU @ PURUSHOTTAM @ PAHALWAN Son of Rabindra Singh
Resident of Village - Sona Gopalpur, P.S.- Gopalpur, District - Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rudra Deo, Advocate

For the Opposite Party/s : Mr. Anil Kumar, A.P.P.

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

3 27-10-2021 Heard Mr. Rudra Deo, learned counsel for the

petitioner and Mr. Anil Kumar, learned Additional Public

Prosecutor appearing for the State.

The present modification application has been filed
for modification of the order dated 17.3.2021 passed in Cr.
Misc. 6664 of 2021 to the extent that the direction of this Court
to release the petitioner on bail after framing of charge be
modified on the ground that the case has not been committed to
the Court of Session as yet.

This Court by an order dated 3.2.2021 passed in Cr.
Misc. 6664 of 2021 had called for a report from the trial court
regarding stage of trial and in pursuance thereof, the report of



learned Judicial Magistrate, 1st Class, Gopalganj, dated 22.2.2021 is on record of Cr. Misc. 6664 of 2021 and from perusal of the same, it appears that after cognizance the case was fixed for appearance but out of the five accused persons, nobody had turned up before the learned court below and for securing the appearance of the accused persons, the learned Judicial Magistrate has issued summons to them.

In view of the fact that the court below is taking steps for framing of charge against the accused persons and this Court has already granted bail to the petitioner after framing of charge, I am not inclined to modify the order dated 17.3.2021 passed by this Court in Cr. Misc. 6664 of 2021.

Accordingly, the Modification Application of the petitioner stands dismissed.

(Anil Kumar Sinha, J)

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