

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9557 of 2021

In
CRIMINAL MISCELLANEOUS No.20639 of 2020

Arising Out of PS. Case No.-411 Year-2019 Thana- SAHARSA SADAR District- Saharsa

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SUNNY KUMAR RAJ S/O SHIVENDRA BHAGAT R/o village- Ramfal
Sah Tola, Ward No. 02, Saharsa, P.S.- Saharsa, District- Saharsa

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Krishna Prasad Singh, Sr. Adv.
Mr. Bhaskar Shankar, Adv.

For the Opposite Party/s : Mr. Atul Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 27-08-2021 In view of sudden resurgence of COVID-19 infection

there is limited functioning of the High Court and therefore the

matter has been listed for consideration through virtual mode.

Heard learned counsel for the petitioner and learned

APP for the State.

Under order dated 03.07.2020, the petitioner was

allowed bail. In view of the restrictions based on Covid-19

pandemic, this Court had allowed bail leaving it open to the

court below to accept the bail bonds on furnishing of an

undertaking by the surety, on photocopy of his Adhaar Card to

the effect that he is ready to become bailor of the petitioner. The

same was to be transmitted through e-mode.



As per learned senior counsel, undertaking as per requirement of the said order was submitted on 08.07.2020. He submits that since the restrictions based on Covid-19 pandemic continued for a considerable time, the bail bonds could not be furnished physically by the surety within three months as prescribed under the said order. Some delay occurred and therefore, it was considered prudent to file a petition for modification of the terms. The same was filed through virtual mode on 21.12.2020 but came to be registered on 01.02.2021. Supplementary affidavit has been filed stating that the same person who had given undertaking on 08.07.2020, i.e. Shivendra Bhagat S/o late Saryug Bhagat, to be one of the bailors in terms of the order dated 03.07.2020, shall be one of the bailors. However, some delay has occurred on account of the very same reasons considering which this Court had allowed bail merely on the basis of undertaking. He submits that on account of Covid-19 pandemic related restrictions he could not submit bail bonds within time and prays that the order be modified.

The reasons as per submissions of the learned senior counsel, without any opposition from the learned APP are found by this Court to be satisfactory. If the person as per details contained in paragraph 4 of the supplementary affidavit is one of the bailors



in the court concerned, then the time granted for filing of the bail bonds under order dated 03.07.2020 is extended by two weeks from today.

Accordingly, the modification is allowed.

(Madhuresh Prasad, J)

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