

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81816 of 2019

In
CRIMINAL MISCELLANEOUS No.55203 of 2019

Arising Out of PS. Case No.-345 Year-2017 Thana- JAHANABAD District- Jehanabad

GAUTAM KUMAR SHARMA @ GAUTAM KR. @ BRAHMASHI
PATANJALI GATAM S/o Sachidanand Sharma R/o Village- Krismapuri, P.S.-
Jehanabad, District- Jehanabad at present R/o Bhadsara, P.S.- Pali, Distt-
Jehanabad.

... .. Petitioner.

Versus

THE STATE OF BIHAR

... .. Opposite Party.

Appearance :

For the Petitioner : Mr. Jharkhandi Upadhyay, Advocate.
For the State : Mr. Arun Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

6 07-04-2021 Heard learned counsel for the petitioner and the
learned Additional Public Prosecutor for the State, through
Video Conferencing.

This application has been filed for modification of the
order dated 11.07.2019 passed in Criminal Misc. No.15923 of
2019 by this Court, whereunder the petitioner was allowed the
privilege of pre-arrest bail.

Learned counsel for the petitioner submits that the
petitioner had filed Criminal Misc. No.15923 of 2019 for grant
of privilege of pre-arrest bail in connection with Jehanabad P.S.
Case No.345 of 2017, which was allowed vide order dated
11.07.2019 passed by this Court but due to wrong mentioning of



Excise Case No.1838 of 2017, in place of Excise Case No.658 of 2017, in the order dated 04.01.2019 passed in ABP No.1838 of 2017 by the court of Additional Sessions Judge-II, Jehanabad, and in the first paragraph and prayer portion of Criminal Misc. No.15923 of 2019, that mistake was occurred in the order dated 11.07.2019 passed by this Court in Criminal Misc. No.15923 of 2019. Later on, the order dated 04.01.2019 passed in A.B.P. No.1838 of 2017 by the court of the Additional Sessions Judge-II, Jehanabad, was modified at the instance of the petitioner vide order dated 20.06.2020 passed by the Additional Sessions Judge-II, Jehanabad, correcting the Excise Case No.658 of 2017, in place of Excise Case No.1838 of 2017, as such, the order dated 11.07.2019 passed by this Court in Criminal Misc. No.15923 of 2019 may be modified by extending the period of surrender of the petitioner in the court below.

In view of the aforesaid submission of the learned counsel for the petitioner and the order dated 20.06.2020 passed by the Additional Sessions Judge-II, Jehanabad, let paragraph-2 of the order dated 11.07.2019 passed by this Court in Criminal Misc. No.15923 of 2019 be read as under”

“The petitioner apprehends his arrest in connection with Jehanabad P.S. Case No.345 of 2017 (Excise Case No.658



of 2017) registered under Section 30(a) of the Bihar Prohibition and Excise Act.”

In the last paragraph of the order dated 11.07.2019 passed by this Court in Criminal Misc. No.15923 of 2019, in place of “Excise Case No.1838 of 2017”, it be read as “Excise Case No.658 of 2017”.

The period of surrender of the petitioner in the concerned court below is further extended for a period of four weeks from today.

The order dated 11.07.2019 passed by this Court in Criminal Misc. No.15923 of 2019 is modified to the aforesaid extent only.

Accordingly, this application stands disposed of.

(Rajendra Kumar Mishra, J)

P.S./-

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