

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4065 of 2022

In
CRIMINAL MISCELLANEOUS No.44290 of 2021

Arising Out of PS. Case No.-185 Year-2021 Thana- RAJAOLI District- Nawada

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MUKESH KUMAR @ MUKESH YADAV Son of Dwarika Pandit Resident
of Village - Horila, P.s.- Rajauli, Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mohammad Sufyan

For the Opposite Party/s : Mr. Tapeswar Sharma

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-02-2022 The present modification application has been filed in view of the order dated 14.12.2021, by which the Court while granting bail had directed the learned Court below to release the petitioner on bail after being satisfied that the victim in the case diary has stated that she was in love with the petitioner and has married.

The learned counsel for the petitioner submits that the petitioner was granted bail by order dated 14.12.2021, wherein it was recorded that the petitioner would be released on bail provided the learned Court below is satisfied that the victim in the case diary has stated that she was in love with the petitioner, but the learned Court below in terms of the order dated 14.12.2021, instead of satisfying itself from the case diary has



issued notice to the girl which is evident from Annexure-2 of the modification application at page-14.

The learned A.P.P. submits that if what has been submitted is correct then the learned Court below has exceeded his jurisdiction in complying with the orders of this Court.

The learned counsel for the petitioner submits that the order is clear and requires no interpretation and the learned Court below definitely not only has exceeded his jurisdiction, but has breached the order of this Court by not releasing the petitioner on bail despite the order dated 14.12.2021 and the petitioner till date remains in custody.

There is absolutely no occasion for modifying the order of this Court dated 14.12.2021, if the learned Court below has not understood the order in its correct perspective. Hope this time when this order is communicated to the learned Court below, the Court will act diligently and in accordance with the order passed by this Court.

(Satyavrat Verma, J)

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