

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8991 of 2021

In
CRIMINAL MISCELLANEOUS No.85075 of 2019

Arising Out of PS. Case No.-897 Year-2016 Thana- PATNA COMPLAINT CASE District-
Patna

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ASHOK KUMAR MALAKAR @ ASHOK KUMAR S/o Arjun Bhagat @
Arjun Bhagat Malakar R/o village- Dighwar, Opposite Hemlata Petrol Pump,
P.S.- Dighwara, District- Chhapra

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Smt. Rekha Devi W/o Ashok Kumar Malakar, D/o Kishori Lal Malakar R/o
Mohalla- Kaimasikoh, P.O.- Jhauganj, P.S.- Chuk, District- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shambhu Sharan Singh
For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-02-2022 Heard learned counsel for the petitioner and the State.

Learned counsel for the petitioner is directed to remove
the defect(s), as pointed out by the office, within a period of
eight weeks.

The present application has been filed for modification of
the order dated 26-06-2020 passed by a coordinate bench (then
His Lordship was) in Cr. Misc. No. 85075 of 2019 by which the
petitioner was granted provisional anticipatory bail in
connection with Complaint Case No. 897 of 2016 pending in
the court of learned Sub Divisional Judicial Magistrate, Patna
City.



It is submitted on behalf of the petitioner that due to Covid-19 pandemic, the petitioner could not surrender within the stipulated time. It is further prayed on behalf of the counsel for the petitioner that further time may be extended so that the petitioner could surrender in the court below.

Considering the submissions made on behalf of the learned counsel for the petitioner and the grounds mentioned in the modification application, the period of surrender of the petitioner in the court below is extended for a further period of eight weeks from the date of receipt/production of a copy of this order. The rest of the conditions shall remain the same as mentioned in the order dated 26-06-2020 passed by a coordinate bench (then His Lordship was) in Cr. Misc. No. 85075 of 2019.

The order dated 26-06-2020 passed by a coordinate bench (then His Lordship was) in Cr. Misc. No. 85075 of 2019 is modified to the extent as indicated above.

The modification application is, accordingly, disposed of.

(Sudhir Singh, J)

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