

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56104 of 2022

In
CRIMINAL MISCELLANEOUS No.4438 of 2022

Arising Out of PS. Case No.-225 Year-2021 Thana- DHAMDAHA District- Purnia

Ashish Ranjan S/o Janki Pandit Resident of village- Fulwariya, P.O.- Fulwariya, P.S.- Gogari Via-Chauthan, District- Khagaria, at present posted as Primary Teacher at Government Primary School, Mushahari, P.S.- Dhamdaha, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar
For the Opposite Party/s : Mr.Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-11-2022 This application has been filed for modification of order dated 25.08.2022 passed in Cr. Misc. No. 4438 of 2022.

Learned counsel for the petitioner has submitted that earlier petitioner was granted anticipatory bail by order dated 25.08.2022 passed in Cr. Misc. No. 4438 of 2022 with observation and condition as:- *“it is submitted on behalf of petitioner that petitioner has already been terminated from service and is ready to refund emoluments received during tenure, as Panchayat Teacher in 24 (twenty four) monthly installments before the court below”*, but petitioner has not been terminated from his service till date. It is next submitted that on the last occasion it was submitted that petitioner is ready to



refund the emoluments received as Panchayat Teacher in twenty four monthly installments, but as a matter of fact, petitioner is not in a position to refund the same.

In view of the modification petition, order dated 25.08.2022 passed in Cr. Misc. No. 4438 of 2022, is hereby recalled and the application for anticipatory bail is dismissed.

This modification application is accordingly, allowed.

(Prabhat Kumar Singh, J)

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