

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60609 of 2022

In
CRIMINAL MISCELLANEOUS No.22848 of 2022

Arising Out of PS. Case No.-119 Year-2022 Thana- BRAHMPUR District- Buxar

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1. Ashok Singh, S/o Late Dwarika Singh, R/o- Sowar, P.S.- Brahmapur (Krishnabraham), District- Buxar
 2. Chandra Prakash Singh, S/o Shri Ashok Singh, R/o- Sowar, P.S.- Brahmapur (Krishnabraham), District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ansul, Advocate
		Mr. Anuj Kumar, Advocate
For the Opposite Party/s :		Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 23-11-2022 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, within a period of four weeks from today.

Heard Mr. Ansul, learned counsel for the petitioners and learned APP for the State.

The present application has been filed seeking modification of the order dated 07.07.2022, passed in Cr. Misc. No. 22848 of 2022, to the extent, it relate to condition nos. (ii) and (iv) imposed by this Court, while granting bail to the petitioners.

It is submitted on behalf of learned counsel for the



petitioners that the petitioner no.2 (Chandra Prakash Singh) is posted as a constable in the office of Superintendent of Police, Jamshedpur (Jharkhand), however, while granting bail to him, condition was imposed by the order dated 07.07.2022, that the petitioners will remain present on each and every date of trial till disposal of the case and in the event of default of two consecutive dates without any cogent reason, their bail bonds will be liable to be cancelled.

Learned counsel for the petitioners fairly submits that so far the petitioner no.1 is concerned, he is the father of petitioner no.2, he will be certainly abide by the order of this Court dated 07.07.2022 passed in Cr. Misc. No. 22848 of 2022, so far the petitioner no.2 (Chandra Prakash Singh) is concerned, he is facing difficulty in abiding the conditions, as stated above, because of his posting at far distant place at Jamshedpur, Jharkhand.

In view of the submissions made on behalf of the learned counsel for the petitioners, the condition nos. (ii) and (iv), as has been imposed by the order dated 07.07.2022, so far it relates to petitioner no.2, is modified to the extent that petitioner no.2 will remain present as and when his presence is required by the jurisdictional court.



The order dated 07.07.2022 passed in Cr. Misc. No. 22848 of 2022 is modified to the extent indicated hereinabove.

It is needless to say that in case, the petitioner no.2 fails to abide the order of the jurisdictional court, the learned court below is at liberty to pass appropriate order against him.

Accordingly, the present modification application stands disposed of.

(Harish Kumar, J)

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