

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4561 of 2022

Arising Out of PS. Case No.-212 Year-2021 Thana- KUDRA District- Kaimur (Bhabua)

HARENDRA CHAUDHARY @ HARENDRA KUMAR S/o Bigu Chaudhary
R/o Village - Goluadih, P.S. - Kudra, District - Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-02-2022 Due to the third wave of COVID-19 Pandemic, the
matter is being taken up by way of Virtual Court proceeding.

The matter has been listed under the heading 'For
Orders' under the orders of Hon'ble the Chief Justice.

Heard learned counsel for the petitioner and learned
counsel for the State through virtual mode.

Counsel for the petitioner is directed to remove the
defect(s), as pointed out, by the office, within a period of four
weeks from the date of restoration of normalcy.

The present application has been filed for
modification of the order dated 10.12.2021 passed in
Cr.Misc.No. 59248 of 2021, by which the petitioner was granted
anticipatory bail in connection with Kudra P.S. case No.212 of
2021, pending in the court of Additional Sessions Judge 2nd-



cum-Special Judge, Excise, Kaimur at Bhabhua and the petitioner was directed to surrender in the court below within a period of twelve weeks.

It has been submitted on behalf of the petitioner that in the prayer portion of Cr.Misc.No.59248 of 2021, P.S. case number had wrongly been typed as “Kudra P.S. case No.824 of 2020” in place of “Kudra P.S. case No.212 of 2021”, as a result of which in the satisfaction portion of the order dated 10.12.2021 passed in Cr.Misc.No.59248 of 2021, P.S. case number was wrongly mentioned.

Let in the order dated 10.12.2021 passed in Cr.Misc.No.59248 of 2021, P.S. case number be read as “Kudra P.S. case No.212 of 2021” in place of “Kudra P.S. case No.824 of 2020”.

It is submitted on behalf of the counsel for the petitioner that due to some unavoidable reasons the petitioner could not surrender in the court below well within 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 stipulated in the order will be same.

The order dated 10.12.2021 passed in Cr.Misc.No. 59248 of 2021, is modified to the extent as indicated above.

The modification application is, accordingly, allowed.

(Sudhir Singh, J)

Narendra/-

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