

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12709 of 2023

In
CRIMINAL MISCELLANEOUS No.23445 of 2020

Arising Out of PS. Case No.-109 Year-2020 Thana- KOPA District- Saran

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ARJUN RAI S/O LATE SUDAMA RAI R/v- Kopa, P.S.- Kopa, District-
Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha, Adv.

For the Opposite Party/s : Mr.Ram Priya Sharan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 29-03-2023 Heard both sides.

This application has been filed for modification of order dated 13.10.2020 passed in Cr. Misc. No.23445 of 2020 by which the petitioner along with other co-accused Saroj Kumar Yadav @ Saroj Rai was granted anticipatory bail, and also for extending the period for surrender of the petitioner before the court below.

Learned counsel for the petitioner submits that during the pendency of Cr.Misc.No.23445 of 2020 some family dispute arose between the present petitioner and co-accused Saroj Kumar Yadav due to which the co-accused Saroj Kumar Yadav, who was dealing with the said bail application, did not communicate about passing of order dated 13.10.2020 and the



petitioner was under impression that the bail application is still pending. Although Saroj Kumar Yadav had filed his bail bond before the court below but the petitioner, who is a farmer aged about 60 years, having no knowledge about passing of the said order has failed to furnish his bail bond. In such situation, the petitioner could not be released on bail.

In view of the aforesaid facts and circumstances as well as the statements made in the petition and the submissions advanced on behalf of petitioner, this modification application is allowed. Let the period for surrender of the petitioner in the court below (A.C.J.M. V, Saran in connection with Kopa P.S. Case No.109 of 2020) be extended by further four weeks from today.

Accordingly, order dated 13.10.2020 stands modified to the extent as indicated above.

(Arvind Srivastava, J)

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