

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.18690 of 2023**

**In  
CRIMINAL MISCELLANEOUS No.51754 of 2022**

Arising Out of PS. Case No.-1 Year-2022 Thana- WEST CHAMPARAN COMPLAINT  
District- West Champaran

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1. Jitendra Singh Son Of Late Shivismangal.
  2. Pawan Kumar Singh @ Pawan Kumar Son Of Jitendra Singh  
Both are Resident Of Village - Sahabajawa, Ward No. - 15, P.S. -  
Majhauriya, Distt. - West Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Anant Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**

ORAL ORDER

2      22-03-2023                      Heard the parties.

The petition has been filed for modification of the order dated 12.01.2023 passed in Cr. Misc. No.51754 of 2022 by this Court.

It is unfortunate that due to laxity on the part of the office of learned counsel for the petitioners have to suffer.

On 12.01.2023 the Cr. Misc. No.51754 of 2022 was allowed with the following order:

*“Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on*



*furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Official Complaint No. 01 of 2021 to the satisfaction of learned District and Sessions Judge, West Champaran, Bettiah, Bihar, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.”*

Now a modification petition has been filed stating as follows in paragraphs-4 and 5.

*“4. That the petitioners does surrender due to the reason that while drafting the Anticipatory bail petition it was wrongly typed at the prayer portion" to the satisfaction of Learned District and Session Judge" in place of "to the satisfaction of Learned Additional Chief Judicial Magistrate" West Champran, Bettiah.*

*5. That as prayer portion was wrongly typed so in the Bail order dated 04.01.2023 the satisfaction authority has been stated as Learned District and Session Judge West*



*Champaran, Bettiah, Bihar instead of  
Additional Chief Judicial Magistrate,  
Bettiah, West Chamapran.”*

Accordingly, the order dated 12.01.2023 passed in Cr.  
Misc. No.51754 of 2022 is modified to the following extent.

*“Let the petitioners be released on  
bail, in the event of their arrest or surrender  
before the subordinate court within a period  
of four weeks from the receipt of this order,  
on furnishing bail bond of Rs. 10,000/- (Ten  
Thousand) each with two sureties of the like  
amount each in connection with Official  
Complaint No. 01 of 2021 to the satisfaction  
of learned Court of Additional Chief Judicial  
Magistrate, West Champaran, Bettiah,  
subject to the conditions as laid down under  
Section 438(2) of the Cr.P.C.”*

Since due to the fault of the office of learned counsel  
for the petitioners, the order is being modified today, the period  
of surrender is further extended for four weeks from today.

However, due to the said laxity which prevented the  
accused from enjoying the fruits of the order, the office of the



concerned lawyer has to suffer and a sum of Rs.2000/- is to be deposited in the Patna High Court Legal Services Committee and a receipt thereof will be presented before the concerned court when the accuseds surrender.

The petition stands disposed of.

**(Rajiv Roy, J)**

Prakash Narayan /-

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