

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24951 of 2023

In
CRIMINAL MISCELLANEOUS No.54957 of 2021

Arising Out of PS. Case No.-2 Year-2019 Thana- MAHILA PS District- Gopalganj

Sonu @ Afsar Ali, Son of Haidar Ali Resident of Village - Tirbirwa, P.S.-
Gopalganj, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 26-04-2023 Heard learned counsel for the parties.

The instant application has been filed by the petitioner praying for modification of the condition imposed by the Court in its order dated 5.4.2022 passed in Cr. Misc. no.54957 of 2021 while granting regular bail to the petitioner in connection with Gopalganj Mahila P.S. Case no.2 of 2019.

Learned counsel for the petitioner submits that by the said order dated 5.4.2022, the petitioner was directed to be enlarged on bail on the same condition as laid down in the order dated 14.9.2020 (Annexure-2) passed in Cr. Misc. no.17176 of 2020 which was to the effect that the petitioners therein would mark their attendance before the Officer-in-charge of the concerned police station at 10:00 A.M. on each Monday of the week and in the event of two consecutive defaults, the present



privilege of bail shall stand automatically cancelled.

Learned counsel referring to Annexure-4 to the application submits that the case/trial in connection with Gopalganj Mahila P.S. Case no.2 of 2019 has progressed and charge has been framed against the petitioner which would be evident from Annexure-4. The petitioner is cooperating in the case/trial and has been abiding by the conditions as laid in the order dated 5.4.2022. He further undertakes to cooperate in the trial. As such, it is prayed that the condition directing him to mark his attendance before the Officer-in-charge of the concerned police station as laid in the order dated 5.4.2022 be expunged.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the contents of the petition, the submissions made and especially the fact that charge has been framed in connection with Gopalganj Mahila P.S. Case no.2 of 2019 vide order enclosed as Annexure-4, the prayer of the petitioner in the instant application is allowed. The order dated 5.4.2022 (Annexure-1) passed in Cr. Misc. no.54957 of 2021 stands modified to the extent that from now on the petitioner would not be required to mark his attendance before the Officer-



in-charge of the concerned police station at 10:00 A.M. on
Monday as had been directed in the said order dated 5.4.2022.

This application stands allowed.

(Partha Sarthy, J)

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