

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30849 of 2023

In
CRIMINAL MISCELLANEOUS No.71779 of 2021

Arising Out of PS. Case No.-4 Year-2021 Thana- C.B.I CASE District- Patna

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ARVIND KUMAR Son of Late Jhari Mahto Resident of Deputy Director
General of Mines Safety Central Zone (DGMS) Head Office, Dhanbad
(Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar through C.B.I. Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs.Vaishnavi Singh
For the Opposite Party/s : Mrs.Nivedita Nirvikar

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 10-05-2023 Heard learned counsel for the petitioner and learned
counsel for the C.B.I.

The present petitioner has been filed for modification
of order dated 26.09.2022 passed by this court in Cr. Misc. No.
71779 of 2021, whereby and whereunder the petitioner was
granted bail and it is mentioned that in condition no. (ii)
“petitioner shall remain present before the trial court on each
and every date without fail, failing which the trial court shall
cancel the bail bond of the petitioner.”

Learned counsel for the petitioner submits that
petitioner is aged about 57 years and is suffering from acute
patient of blood pressure, sugar and Covid related problem. He



is posted as Deputy Director General of Mines Safety Central Zone (DGMS) Head Office, Dhanbad in the State of Jharkhand. He further submits that petitioner is resident at Dhanbad (Jharkhand), due to distance and age, petitioner feels great difficulty in travelling from Dhanbad to Patna in order to comply the aforesaid condition. Hence, he prays that condition no. ii be modified in the context of his physical condition.

Learned counsel for the C.B.I. does not raise objection.

In the light of aforesaid submission, condition no. ii of order dated 26.09.2022 passed in Cr. Misc. No.71779 of 2021 is modified to the extent that petitioner will co-operate in trial and will remain present during trial and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned trial court itself.

In the aforesaid manner, the modification petition stands disposed of.

(Alok Kumar Pandey, J)

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