

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56032 of 2022

In

CRIMINAL MISCELLANEOUS No.67336 of 2019

Arising Out of PS. Case No.-520 Year-2018 Thana- JEHANABAD COMPLAINT CASE
District- Jehanabad

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1. MUKUL KRISHNA PRASAD Son of Late Mahendra Prasad Shastri
Resident of Mohalla- New Area, M.J. Road, Aurangabad, P.S.- Aurangabad,
District- Aurangabad at present Resident of I-40, Nanakpura, South
Motibagh-2, Chanakya Puri, New Delhi-110021
 2. SAURAV KUMAR @ SAURABH KUMAR Son of Mukul Krishna Prasad
Resident of Mohalla- New Area, M.J. Road, Aurangabad, P.S.- Aurangabad,
District- Aurangabad at present Resident of I-40, Nanakpura, South
Motibagh-2, Chanakya Puri, New Delhi-110021

... .. Petitioner/s

Versus

1. The State of Bihar
2. PALLAVI KUMARI Wife of Sunil Kumar At present resident of Mohalla-
Gaurakshni, Jehanabad, P.O and P.S.- Jehanabad, District- Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pranav Kumar, Advocate Mr. Dharmendra Kumar Sinha, Advocate
For the Opposite Party/s	:	Mr. Mohammad Sufyan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-08-2023 This petition has been filed for modification of order dated 06.11.2019 passed in Cr. Misc. No. 67336 of 2019 whereby and whereunder, petitioners were granted provisional anticipatory bail and were directed to remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons their bail bond shall be liable to be cancelled by the learned court concerned.

2. It is submitted on behalf of the petitioners that daughter of petitioner No. 1 and sister of petitioner No. 2,



namely, Sangita Kumari is suffering from Breast Cancer and is under treatment with Oncologist at Dr. BRA IRCH, AIIMS since 23.09.2021. These petitioners are residing in Delhi for her treatment and are unable to appear before the court below for the aforesaid reason and hence, they pray to be exonerated from physical appearance in the trial court on each and every date. Accordingly, learned counsel for the petitioners requests for necessary correction in the order.

3. However, learned A.P.P. for the State opposes the application and submits that order dated 06.11.2019 passed in Cr. Misc. No. 67336 of 2019 does not require any modification in view of the fact that it is only in the event of failure on two consecutive dates without sufficient reasons that the bail bond shall be cancelled by the learned court below and as such, no modification is required.

4. In view of the aforesaid facts and circumstances, order dated 06.11.2019 passed in Cr. Misc. No. 67336 of 2019 is not required to be modified. This modification petition is, accordingly, dismissed.

(Prabhat Kumar Singh, J)

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