

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76270 of 2023

In
CRIMINAL MISCELLANEOUS No.17709 of 2023

Arising Out of PS. Case No.-7062 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

-
-
1. RAJEEV KUMAR son of Suresh Kumar Sharma R/o- Rajbhawan Chakkar Maidan Ps- Kazimohammadpur Dist- Muzaffarpur
 2. Suresh Kumar Sharma son of late Ram Lalit Sharma R/o- Rajbhawan Chakkar Maidan Ps- Kazimohammadpur Dist- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dr. Manisha Kumari

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanket, Adv.
For the Opposite Party/s : Mr. Ravindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-11-2023 1. Heard the learned counsel for the petitioners and
the learned APP Mr. Ravindra Kumar for the State.

2. The learned counsel for the petitioners submits that the petitioners were granted anticipatory bail by order dated 24.07.2023 in Cr. Misc. No.17709/2023. It is next submitted that the petitioners were directed to surrender within a period of six weeks. The learned counsel further submits that at para-7 of the order dated 24.07.2023, it was recorded- “to the satisfaction of the learned District and Sessions Judge, Patna, in connection with Complaint Case No.7062/2022, subject to the conditions



laid down under Section 438(2) of the Cr.P.C.” when it ought to have been “to the satisfaction of the learned S.D.J.M., Patna in connection with Complaint Case No.7062/2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.” The learned counsel thus submits that in compliance of the order dated 24.07.2023, the petitioners surrendered before the Court of the learned District and Sessions Judge, Patna within the stipulated time but since the case was not pending there, hence, the present modification application has been filed, seeking modification of the order dated 24.07.2023 to the extent indicated above.

3. In view of the submissions made by the learned counsel for the petitioners, the order dated 24.07.2023 in Cr. Misc. No.17709/2023, at para-7 is modified to read as “to the satisfaction of the learned S.D.J.M., Patna, in connection with Complaint Case No.7062/2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.” instead of “to the satisfaction of the learned District and Sessions Judge, Patna, in connection with Complaint Case No.7062/2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.”

4. The order dated 24.07.2023 is modified to the extent indicated above. In the event, if the petitioners surrender



on or before 29.11.2023, the bail bonds of the petitioners shall be accepted by the learned S.D.J.M., Patna, on the same terms and condition, as recorded in the order dated 24.07.2023.

5. Accordingly, the modification application is allowed.

(Satyavrat Verma, J)

amit/-

U		T	
---	--	---	--

