

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76259 of 2023

In
CRIMINAL MISCELLANEOUS No.43903 of 2023

Arising Out of PS. Case No.-767 Year-2022 Thana- BEGUSARAI TOWN District- Begusarai

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Madhusudan Yadav @ Masudan Yadav Son Of Dashrath Yadav Resident Of
Village - Raghunathpur, P.S. - Sahopur, District - Begusarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajkumar Rajesh, Adv.

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-11-2023 1. Heard the learned counsel for the petitioner and the
learned APP for the State.

2. The learned counsel for the petitioner submits that
the petitioner was granted anticipatory bail by order dated
23.08.2023 in Cr. Misc. No. 43903/2023 with a condition that
one of the bailors of the petitioner shall be his father Dashrath
Yadav. It is next submitted that petitioner in terms of the order
dated 23.08.2023 was directed to surrender before the learned
trial court within six weeks.

3. The learned counsel next submits that the present
modification application has been filed seeking modification of
the condition in the order dated 23.08.2023 in Cr. Misc.
No.43903/2023 that the condition by which his father was made



one of the bailor be removed, as the father of the petitioner had died prior to filing of the anticipatory bail application but inadvertently in Cr. Misc. No.43903/2023 in the description of the petitioner, his father was not shown as late.

4. The Court would have entertained the said submission of the learned counsel for the petitioner provided the modification application would have been filed within six weeks of the order dated 23.08.2023 in Cr. Misc. No.43903/2023. The Court completely fails to appreciate that if the father of the petitioner had died earlier, this fact was in the knowledge of the petitioner but why the present modification application came to be filed after the period of surrender was over. The Court is not inclined to entertain the modification application.

5. Accordingly, the present modification application is hereby rejected.

(Satyavrat Verma, J)

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