

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34226 of 2024

In
CRIMINAL MISCELLANEOUS No.81628 of 2023

Arising Out of PS. Case No.-284 Year-2023 Thana- BAIRIYA District- West Champaran

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Santosh Chaudhary @ Santoshi Chaudhary SON OF BAGAR
CHAUDHARY VILLAGE- BAGAHU RATANPUR, PS- BAIRIYA, DIST-
WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sarvesh Kashyap
For the Opposite Party/s : Mrs.Asha Kumari

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-05-2024 The present modification application has been filed for
modification of the order dated 22.12.2023 passed in Cr. Misc.
No.81628/2023 to the extent of modifying a bail condition.

2. It is submitted by learned counsel for the petitioner that
by the aforesaid order, the petitioner was granted anticipatory
bail with some conditions. It is submitted that the condition no.1
was that “One of the bailors will be his own relative, preferably
father, mother, brother, sister and or his wife.

3. In this context it is submitted that the petitioner belongs
from a very poor family and he resides in the slum areas located
near the footpath and hence he does not have any land or any
security of Rs.25,000/- in the name of his or any of his close



relative, therefore, there is no blood relative available to become a bailor. He further submits that one cousin of the petitioner namely Raju Chaudhary is ready to be his bailor but he is not a blood relative, as described in the condition no.1, as such, the said condition be modified to some extent.

4. Considering the submission of learned counsel for the petitioner, the order dated 22.12.2023 passed in Cr. Misc. No.81628/2023 is modified to the extent that in the order-sheet the condition no.1 be read as “One of the bailor will be related/known to the petitioner”.

5. Further, in the interest of justice, the period to surrender is extended by six weeks from today in connection with Bairiya P.S. Case No.284 of 2023, pending in the court of learned Exclusive Special Judge, Excise, Bettiah, West Champaran.

6. The order dated 22.12.2023 passed in Cr. Misc. No.81628/2023 is modified to the extent as indicated above. Let this order be read along with the order dated 22.12.2023.

7. Accordingly, this modification application stands disposed of.

(Anjani Kumar Sharan, J)

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