

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25391 of 2024

In
CRIMINAL MISCELLANEOUS No.85847 of 2023

Arising Out of PS. Case No.-239 Year-2020 Thana- DHAMDAHA District- Purnia

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1. Sawan Jha S/O Chakradhar Jha R/O Village- Kunwari, P.S- Dhamdaha, Distt.- Purnea.
 2. Chakradhar Jha S/O Late Dukh Haran Jha R/O Village- Kunwari, P.S- Dhamdaha, Distt.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 21-06-2024 Present petition has been filed for modification of order dated 24.01.2024 passed by this Court in Cr. Misc. No. 85847 of 2023. While granting anticipatory bail to the petitioners, one of the conditions imposed was that the petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

2. Learned counsel for the petitioners submits that the petitioner no. 1 is unable to walk/move freely and petitioner no. 2 stays in Mumbai and it is not possible for him to attend the Court physically on each and every date and so this condition may be waived.

3. However, from perusal of the order it is clear that

discretion has been left with the learned trial court to direct the petitioners to remain present on each and every date if it so requires. So the petitioners could move before the learned trial court and make prayer for exemption from appearance since discretion has been left with the learned trial court in this matter.

4. Faced with the circumstances, the learned counsel for the petitioners seeks permission to withdraw the present petition with further liberty to move before the learned trial court for redressal of his grievance.

5. Permission is accorded.

6. Accordingly, the present petition is dismissed as withdrawn with liberty as aforesaid.

(Arun Kumar Jha, J)

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