

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44416 of 2023

In
CRIMINAL MISCELLANEOUS No.22021 of 2023

Arising Out of PS. Case No.-7 Year-2023 Thana- BAIRIYA District- West Champaran

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SHAMSHAD GADDI S/O MOKIM GADDI R/O Village- Tumkadia Chowk,
P.S- Bairia, Distt.- West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mrs. Namrata Mishra, Advocate. Ms. Archana Jha, Advocate.
For the State	:	Mr.Braj Kishore Pd., APP.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

7 20-07-2024 Heard Mrs. Namrata Mishra, learned counsel along

with Ms. Archana Jha, learned counsel appearing on behalf of

the petitioner and Mr. Braj Kishore Prasad, learned APP for the

State.

2. The petitioner has filed the present application for
modification of the order dated 01.05.2023 passed in Cr. Misc.
No. 22021 of 2023.

3. Learned counsel appearing on behalf of the
petitioner submits that the opposite party no.2 is not cooperating
and is also not complying with the condition, as has been laid
down in the order dated 01.05.2023, for grant of bail to the
petitioner. In such circumstance, the petitioner is not in a



position to furnish bail bond in spite of the fact that he has already been granted pre-arrest bail vide order dated 01.05.2023. However, admitting the fact that there is bar of Section 362 Cr.P.C. as has been taken note of in the order dated 01.03.2024 , the petitioner finds it proper to prefer another bail application before the District Court, so that a reasoned order may be passed by the District Court considering the fact that the opposite party no.2 is adamant not to cooperate with the petitioner and is also not abiding the direction of this Court.

4. Considering the aforesaid submission, the bail application stands disposed of with aforesaid liberty as sought for by the petitioner.

(Purnendu Singh, J)

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