

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38213 of 2024

In
CRIMINAL MISCELLANEOUS No.40776 of 2022

Arising Out of PS. Case No.-12 Year-2020 Thana- ATHMALGOLA District- Patna

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AKHILESH PASWAN S/O RAJESHWAR PASWAN R/O VILLAGE-
CHAKSARBAR, P.S- ATHMALGOLA, DISTT.- PATNA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anjana

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

6 25-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The present petition has been filed for modification of order dated 28.09.2022 passed by this court in Cr. Misc. No. 70514 of 2021 and Cr.Misc. No. 40776 of 2022 (filed by the present petitioner), whereby the petitioner and other was granted bail on certain conditions in which condition no. (ii) is that the petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned trial court itself.

3. Learned counsel for the petitioner submits that petitioner is Railway employee, posted at Kalyan, Mumbai and



due to which the petitioner is facing a lot of difficulties in appearing before the court. Hence, he prays for modification of the aforesaid condition no. (ii).

4. Learned APP for the State opposed the prayer for modification of the petitioner and submits that the condition which has been given in the present case is quite reasonable as similar direction for appearance has been given in all cases and no modification is required as it will affect the conclusion of trial. There is nothing in the bail condition where modification is required as such condition is given to conclude the trial effectively and efficiently. Hence, no modification is required in order dated 28.09.2022.

5. Considering the aforesaid facts and circumstances of the case, I am not inclined to modify the order dated 28.09.2022 passed in Cr. Misc. No. 70514 of 2021 and Cr.Misc. No. 40776 of 2022 as there is nothing unusual in the said bail condition. Accordingly, the modification petition stands dismissed.

(Alok Kumar Pandey, J)

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