

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80384 of 2023

In
CRIMINAL MISCELLANEOUS No.28363 of 2021

Arising Out of PS. Case No.-203 Year-2020 Thana- KANKARBAG District- Patna

Sandeep Kumar Son Of Ghanshyam Prasad @ Ghanshyam Kumar Resident
Of Village - Kuawan, P.S. - Chakiya, District - East Champaran (MOTIHARI)

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Deepak Kumar, Adv. Mr. Rahul Kumar Singh, Adv.
For the Opposite Party/s	:	Mr. Arun Kumar, APP.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 22-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. This application is filed for modification of order
dated 12.07.2021 passed in Cr. Misc. No. 28363 of 2021.

3. Learned counsel appearing on behalf of the
petitioner submits that the petitioner was granted anticipatory
bail on 12.07.2021 passed in Cr. Misc. No. 28363 of 2021 with
a direction to surrender before the Court below within a period
of eight weeks from today, the petitioner be released on bail on
furnishing bail bond of Rs. 10000/- (ten thousand) with two
sureties of the like amount each to the satisfaction of
learned Judicial Magistrate, 1st Class, Patna in



connection with Kankarbagh P.S. Case No. 203 of 2020, but the petitioner had gone to United States of America to earn his livelihood due to which the petitioner could not surrender before the Court below within the stipulated time. Learned counsel further submitted that when the informant came to know that the petitioner was returning to India, he again lodged a fresh FIR bearing Chakiya P.S. Case No. 361 of 2022 dated 20.08.2022 for the same alleged offence.

4. In view of the matter, let the time to surrender of the petitioner, as ordered on 12.07.2021 passed in Cr. Misc. No. 28363 of 2021, be further extended by six weeks from the date of receipt of this order with further condition:-

(i) It has further been brought to the notice of this Court that the petitioner is working in United States of America. After furnishing of bail bond, the petitioner may leave the country only after getting permission from the Court below. The Court below shall ensure that the trial is concluded at the earliest. If the Court below finds that the petitioner is not cooperating in the trial, the Court below will be at



*liberty to cancel the bail bond of the
petitioner.*

5. Accordingly, the modification application is
allowed and the order dated 12.07.2021 passed in Cr. Misc. No.
28363 of 2021 is modified to the above extent.

(Chandra Prakash Singh, J)

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