

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79984 of 2024

In
CRIMINAL MISCELLANEOUS No.40380 of 2024

Arising Out of PS. Case No.-21 Year-2023 Thana- MAHILA THANA District- Begusarai

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Shashi Kumar @ Shashi @ Shashi Kumar Roy S/O Sahdev Rai R/O Village-
Dariyapur, W.N.-4, P.S- Nayagaon, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Shubhesh Pandey, Advocate
For the Opposite Party/s :	Mr.Chandra Sen Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 29-11-2024 The present petition has been filed for modification of order dated 03.07.2024 passed in Cr. Misc. No. 40380 of 2024. While granting anticipatory bail to the petitioner, it was directed that in the event of arrest or surrender before the court concerned within a period of eight weeks, the petitioner was to be released on bail. Apart from other conditions, it was also directed that the petitioner 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 petitioner submits that the petitioner is a Constable in I.T.B.P. and he did not get leave due to the Election in Jammu & Kashmir where he has been posted



and he could not surrender before the learned trial court within eight weeks. Learned counsel further submits that the time period of surrender of the petitioner may be extended. At the same time, the condition of presence of petitioner on each and every date before the learned trial court should be waived considering the fact that the petitioner is not in a position to get leave at his will.

3. Learned APP opposes the submission.

4. Having regard to the fact that the petitioner is stated to be Constable in I.T.B.P. and might not have got leave, the time period of surrender is extended till 15.01.2025. So far as other condition is concerned, it is upon the learned trial court to see that whether the presence of the petitioner is required for the purpose of the trial or not.

5. The order dated 03.07.2024 is modified to the extent indicated above.

6. Accordingly, the present petition stands disposed of.

(Arun Kumar Jha, J)

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