

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14686 of 2024

In
CRIMINAL MISCELLANEOUS No.64660 of 2023

Arising Out of PS. Case No.-473 Year-2023 Thana- Excise P.S. District- Vaishali

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Gautam Kumar age 23 yrs, Male S/O Jokhan Rai, R/O Village- Narayanpur,
Dedhpura, Ward No.-14, P.S- Mahnar Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharendra Prasad Sinha, Advocate

For the Opposite Party/s : Ms. Shaheen Begum, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 27-03-2024 Heard Mr. Dharendra Prasad Sinha, learned counsel

appearing on behalf of the petitioner and Ms. Shaheen Begum,

learned A.P.P. for the State.

2. The present modification application has been filed
for extension of time, as the petitioner could not surrender
before the learned District Court in time prescribed by this
Court in order dated 17.10.2023 passed in Cr. Misc. No. 64660
of 2023.

3. Learned counsel appearing on behalf of the
petitioner submits that though no specific reason has been given
in the petition with respect to the fact that petitioner was
working out of the State in support of the fact that the petitioner
could not be informed about order of this Court. He further
submits that his *pairvikaar* had also not informed him regarding
the order dated 17.10.2023 passed in Criminal Miscellaneous



No. 64660 of 2023 and in said backgrounds seeks for extension of time and modification of order dated 17.10.2023 passed in Criminal Miscellaneous No. 64660 of 2023 to the said extent.

4. Considering the fact that the petitioner was already released on bail but due to compelling reasons, he could not surrender before the court below within the prescribed time, let the period of surrender as per order dated 17.10.2023 passed in Criminal Miscellaneous No. 64660 of 2023, the time is extended till Monday i.e. 01.04.2024, during which period, the petitioner is directed to surrender before the learned District Court and the learned District Court is directed to accept the bail bond of the petitioner on the similar terms and conditions which was imposed vide order dated 17.10.2023 passed in Criminal Miscellaneous No. 64660 of 2023. In case of failure, this order shall lose its force.

5. The order dated 17.10.2023 passed in Criminal Miscellaneous No. 64660 of 2023 is modified to the above extent only. Other part of the order shall remain intact.

6. In the facts and circumstances of the case, the modification application is allowed.

(Purnendu Singh, J)

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