

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3472 of 2025

In
CRIMINAL MISCELLANEOUS No.45743 of 2024

Arising Out of PS. Case No.-424 Year-2023 Thana- CHAKIA District- East Champaran

Nitesh Kumar S/o Late Indal Das Resident of village- Raji Nanhakar, PS-
Madhuban, Distt- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Rathore, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 24-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. This modification application has been filed for modification of the order dated 21-09-2024 passed by this court in Cr. Misc. No. 45743 of 2024 whereby the petitioner has been granted anticipatory bail in connection with Chakia PS Case No. 424 of 2023 pending before the court of Judicial Magistrate 1st Class, Motihari, East Champaran.

3. Learned counsel for the petitioner submits that condition No.(ii) of the aforesaid anticipatory bail application is that one of the bailors will be his own blood relation, preferably



father, mother, brother, sister and or his wife, but the petitioner has not furnished his bail bonds due to such condition. Further submission is that so far father of the petitioner is concerned, he died much before passing of the anticipatory bail order. Further, his mother is also accused in the instant case and other relatives are landless. It is next submitted that he was out of station for his livelihood, so he could not surrender before the learned court below within the time granted. In such circumstances, it is prayed that condition no.(ii) of the anticipatory bail application be deleted from the order dated 21-09-2024 and further prayed for extension of time to surrender before the court below in terms of the order dated 21-09-2024 passed in Cr. Misc. No. 45743 of 2024.

4. From the grounds mentioned in the modification application and in the interest of justice, condition No.(ii) of the aforesaid order dated 21-09-2024 be deleted and prayer for the modification of the bail application is allowed to the aforesaid extent.

5. Four weeks' further time from today is granted to the petitioner to surrender before the learned court below in terms of the order dated 21-09-2024 passed in Cr. Misc. No. 45743 of 2024



6. The order dated 21-09-2024 is modified to the extent as indicated above.

(Khatim Reza, J)

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