

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23849 of 2026

In
CRIMINAL MISCELLANEOUS No.5790 of 2026

Arising Out of PS. Case No.-357 Year-2025 Thana- PIRBAHOR District- Patna

Chhotu Kumar @ Amarjeet @ Amarjeet Kumar @ Amarjeet Aryan S/o
Munna Prasad Sharma R/O Village- Gandhi Chowk, Sampatchak, P.S-
Pirbahore, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha
For the Opposite Party/s : Mr.Anish Chandra

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-04-2026 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The learned counsel for the petitioner submits that petitioner was granted the iprivilege of anticipatory bail by an order dated 03.02.2026 in Cr. Misc. No.5790 of 2026 with a direction to the petitioner to surrender within a period of six weeks. Further, at Para-8 of the order dated 03.02.2026 in Cr. Misc. No.5790 of 2026, it was recorded:- “At this stage, the learned counsel for the petitioner, based on instruction, undertakes to deposit an amount of Rs.5,000/- with Advocates’ Association, Patna High Court within a period of two weeks from today.”



3. The learned counsel for the petitioner submits that the order dated 03.02.2026 in Cr. Misc. No.5790 of 2026 was not hedged with a condition that if the amount of Rs.5,000/- is not deposited with Advocates' Association, Patna High Court within a period of two weeks, in that event, the provisional anticipatory bail bonds of the petitioner shall not be accepted.

4. It is next submitted that in terms of the order dated 03.02.2026 in Cr. Misc. No.5790 of 2026, the last date for surrendering was 20.03.2026, as such, petitioner on 24.02.2026 after serving a copy on the learned P. P. went to file an application for surrendering, but then, the same was not accepted on the ground that petitioner had not deposited an amount of Rs.5,000/- with Advocates' Association, Patna High Court within a period of two weeks, as such, petitioner filed the instant modification application on 12.03.2026 seeking modification of the order dated 03.02.2026 in Cr. Misc. No.5790 of 2026 with a prayer to extend the time for surrender. It is further submitted that modification application was filed prior to the date of surrender expiring.

5. After hearing the learned counsel for the parties, the learned A.P.P. also fairly submits that the modification



application was filed prior to the date of surrender lapsing.

6. After hearing the learned counsel for the parties, the modification application is being entertained only for the reason that the same was filed prior to date of surrender expiring.

7. In view of the submissions made by the learned counsel for the petitioner, if petitioner surrenders on or before 18.04.2026, his provisional anticipatory bail bonds shall be accepted on furnishing bail bonds of Rs.15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/successor court in connection with Pirbahor P.S. Case No. 357 of 2025, subject to the conditions as laid down under Section 482 (2) of the BNSS.

8. It is made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of more than three cases then it would be presumed that petitioner, for the purposes of seeking anticipatory bail, had concealed his antecedent before this Court, as such, the provisional anticipatory bail order shall not be confirmed, but after verification if it is found that petitioner has antecedent of three



cases only, in that event the provisional anticipatory bail order shall be confirmed forthwith.

9. The order dated 03.02.2026 in Cr. Misc. No.5790 of 2026 is modified to the extent as indicated above.

(Satyavrat Verma, J)

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