IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68156 of 2026
In
CRIMINAL MISCELLANEOUS No.20216 of 2026

CNR No. BRHC010917232026

Arising Out of PS. Case No.-1177 Year-2025 Thana- SIKARPUR District- West Champaran

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Akhilesh Thakur @ Akhilesh Kumar, S/O Brajesh thakur R/O Vill.- Satwariya, P.s.- Sathi, District- West Champaran

... ... Petitioner/s

Versus

The State of Bihar Patna

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

2 06-11-2026 Heard the learned counsel for the parties.

2. This application has been filed for modification of condition No. ‘(ii) & (iii)’ mentioned in Paragraph 6 of the order dated 21.05.2026 passed in Cr. Misc. No. 20216 of 2026 by this Court, whereby the petitioner was granted bail.

3. Learned counsel for the petitioner submits that the petitioner being a member of the Agniveer force would be in difficulty if the condition No. ‘(ii) & (iii)’ are not modified. It has further been submitted that because of his duty for the nation, the petitioner would not be in a position to comply with the two conditions, being condition Nos. ‘(ii) & (iii)’ which is as

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under:

> *"6 (ii) The petitioner shall remain physically present in Court on each date of the Trial.*
>
> *(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned".*

4. It is, thus, submitted that the two conditions may be relaxed to the extent that the petitioner shall make himself available on each and every date when his presence is indispensable. It has further been submitted that, if need be and an occasion arises, then the petitioner shall also appear through online mode/virtual mode with the prior permission of the learned trial court.

5. In view of the submission made hereinabove, the two conditions as contained in the order dated 21.05.2026 passed in Cr. Misc. No.20216 of 2026 are modified to the extent that the petitioner shall not be bound to be present physically on each and every date of trial however, subject to the condition that he shall make himself available physically, if directed and required by the learned Trial Court. Rest of the conditions as contained in the order dated 21.05.2026 shall remain the same.

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6. Accordingly, this application for modification is allowed to the aforesaid extent.

(Sourendra Pandey, J)

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