IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80775 of 2026
In
CRIMINAL MISCELLANEOUS No.2654 of 2026

CNR No. BRHC011120012026

Arising Out of PS. Case No.-152 Year-2024 Thana- KUSHESHWARASTHAN District-Darbhanga

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Md. Usman Haider Khan @ Md. Usman Haidar Khan son of Allauddin Khan Resident of village- Ahilwara PS- Biroul District -Darbhanga the then Panchayat Secretary Parkhand Kuseshwar Asthan, Darbhanga

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Aditya Pandey, Advocate
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 06-11-2026 Heard Mr. Aditya Pandey, learned counsel for the petitioner and Mr. Jitendra Kumar Singh, learned APP for the State.

2. The present application has been preferred:

"for Modification of order dated 11.09.2025 passed in Cr. Misc. No. 37105 of 2025 by the Hon'ble Court whereby and whereunder the Hon'ble Court has directed to release the petitioner

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on Anticipatory bail in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt of the order on furnishing bail bond of Rs. 10.000/- with two sureties of the like amount each to the satisfaction of the learned Court below subject to the condition that the petitioner is ready to pay Rs.3,50,000/- by demand draft in favour of the Block Development Officer, Kuseshwar Asthan, Darbhanga and the said demand draft shall be made available to the concerned court at the time of execution of the bail bond."

3. On 11.09.2025, the petitioner was granted relief subject to payment of Rs.3,50,000/- in favour of the Block Development Officer, Kuseshwar Asthan, Darbhanga.

4. The petitioner failed to do so by surrendering before the concerned Court in four weeks and later came up with Cr. Misc. No. 2654 of 2026 with prayer to extend the time.

5. The same was extended vide an order dated 16.01.2026.

6. It seems that the petitioner again failed and now by way of Cr. Misc No. 80775 of 2026 wants second modification.

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7. Learned APP opposes the prayer submitting that the original order dated 11.09.2025, one year elapsed and he is still moving around without making the necessary payment and/or complying the order.

8. Learned counsel for the petitioner submits that he was in hardship, out of employment and as such some time took place, this is the last time the petition has been filed and if he fails, an undertaking is given that the petitioner will surrender and seek bail instead of coming for the fresh modification petition.

9. Considering the aforesaid fact as also the hardship submission that has been made, as a last chance, Cr. Misc. No.80775 of 2026 is allowed subject to payment of Rs. 1,000/- to the Patna High Court Legal Services Committee, the petitioner to surrender in next four weeks along with Demand Draft issued by the local branch of the State Bank of India/any Nationalized Bank of Rs.3,50,000/- in favour of the Block Development Officer, Kuseshwar Asthan, Darbhanga.

(Rajiv Roy, J)

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