

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1314 of 2026

In
CRIMINAL MISCELLANEOUS No.34469 of 2025

Arising Out of PS. Case No.-410 Year-2023 Thana- DHAKA District- East Champaran

Moktar @ Mokhtar S/O Jumai Miyan R/O Vill.- Bisarahiya, P.s.- Dhaka,
Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manaur Alam, Advocate

For the Opposite Party/s : Mr. Lalan Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 06-02-2026 The present application has been filed seeking modification of the order dated 27.05.2025 passed in Criminal Miscellaneous No. 34469 of 2025, whereby the petitioner was granted the privilege of anticipatory bail with a direction to surrender or be arrested and to furnish bail bonds within a stipulated period of six weeks.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor appearing for the State.

3. Learned counsel for the petitioner submits that no earlier application for modification has been filed. It is further submitted that the petitioner was granted anticipatory bail by this Court vide order dated 27.05.2025 passed in Criminal



Miscellaneous No. 34469 of 2025. However, the petitioner could not surrender and furnish bail bonds within the stipulated period due to unavoidable circumstances, as the wife of the petitioner fell ill and was suffering from Hepatitis, and remained under medical treatment from 16.08.2025 to 16.10.2025. The medical certificate dated 16.10.2025, along with medical test reports, issued in support of the illness of the petitioner's wife, has been brought on record and is annexed as Annexure-P/2. It is submitted that the non-compliance of the order of this Court was neither deliberate nor intentional. The petitioner tenders his unconditional apology before this Court and prays for extension of time by another six weeks for surrender and furnishing of bail bonds.

4. Learned Additional Public Prosecutor appearing for the State has no objection to the prayer made on behalf of the petitioner.

5. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, this Court is satisfied that the petitioner could not comply with the earlier order within the stipulated period due to *bona fide* reasons. Accordingly, the time for surrender of the petitioner for furnishing bail bonds is extended by a further period of six



weeks from today, on the same terms and conditions as stipulated in the order dated 27.05.2025 passed in Criminal Miscellaneous No. 34469 of 2025, in connection with Dhaka P.S. Case No. 410 of 2023, to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Sikrahana (Dhaka), East Champaran.

6. Accordingly, the order dated 27.05.2025 passed in Criminal Miscellaneous No. 34469 of 2025 stands modified to the extent indicated above.

7. The present modification application is, accordingly, allowed.

8. Let a copy of this order be communicated to the court of the learned Sub-Divisional Judicial Magistrate, Sikrahana (Dhaka), East Champaran, in connection with Dhaka P.S. Case No. 410 of 2023, for needful.

(Alok Kumar Pandey, J)

Nilmani/-

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