

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.15110 of 2015**

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1. Dhruwlal Prasad Son of Late Sheetal Prasad resident of village - Pachpakaria, P.S. G.B. Nagar, District - Siwan

2. Brijkishore Prasad Manjhi alias Brij Kishore Manjhi Son of Dhanraj Manjhi

3. Binda Prasad Son of Bhadai Prasad Both Resident of village – Alapur, P.S. Manjhagarh, District – Gopalganj

.... .... Petitioner/s

Versus

15. The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ajay Kumar Pandey

For the Opposite Party/s : Mr. Dilip Kumar(App)

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**

**ORAL ORDER**

2 15-04-2015

Heard learned counsel for the petitioners and the state.

The present application has been filed for modification of order dated 1.10.2013 passed in Cr. Misc. No.26669 of 2013 for extending the period of surrender.

The petitioners were granted anticipatory bail in connection with S.T. No. 393 of 2008 arising out of Siwan Mufassil P.S. Case No. 268 of 2007 registered for the offences under sections 364 and 302/34 IPC wherein the petitioners were summoned in exercise of jurisdiction under section 319 Cr.P.C.

It is submitted by learned counsel for the petitioner that subsequently vide Cr. Misc. No.1155 of 2013, the order of issuance of summon against the petitioners in exercise of jurisdiction under section 319 Cr.P.C. was quashed but subsequently again fresh summons have been

issued by the learned trial court vide order dated 10.2.2015.

In that view of the matter, present modification application is not maintainable.

The modification application stands dismissed.

**(Dinesh Kumar Singh, J)**

Anil/-

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