

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27090 of 2016

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1. Chhote Lal Rai son of Shiv Bachan rai Resident of village-
Bahraampur,P.S. Baikunthpur,District-Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar
2. Jitendra Yadav @ Jitan Yadav son of - Loda Yadav @ Rajendra Yadav
Resident of village- Gaji paita P.S.-Sonbarsa Raj Dist- Saharsa

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Naresh Chandra Verma

For the Opposite Party/s : Mr. Sri Vinod Shankar Modi

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-07-2016

The present application has been filed for modification of the order dated 19.04.2016 passed in Cr. Misc. No. 16671 of 2016.

Learned counsel for the petitioner confines his prayer to the extent of extending the period of surrender and permitting to incorporate the fact that a wrong statement was made in paragraph No. 3 of the main petition that petitioner has no criminal antecedent, but petitioner is accused in two other cases being Baikunthpur P.S. Case No. 47 of 2001 registered under Sections 302, 201/34 of the Indian Penal Code and Baikunthpur P.S. Case No. 118 of 2006 registered under Sections 302/34 of the Indian Penal Code.

It is submitted by learned counsel for the petitioner that due to the wrong instruction the statement was wrongly made in paragraph No. 3 of the main petition.

The anticipatory bail application of the petitioner was disposed of vide order dated 19.04.2016 passed in Cr. Misc. No. 16671 of 2016 with an observation to the learned Court below to consider the prayer for regular bail of the petitioner, if the petitioner surrenders within a period of six weeks and pray for regular bail.

Keeping in view of the wrong statement made in paragraph No. 3 of the main petition, the order dated 19.04.2016 passed in Cr. Misc. No. 16671 of 2016 is modified only to the extent that the period of surrender is extended for a further period of four weeks. However, now learned Court below will consider the prayer for regular bail application of the petitioner only on merits.

Accordingly the modification application is disposed of.

(Dinesh Kumar Singh, J)

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