

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.37557 of 2016

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1. Harihar Singh
2. Nandji Singh Both S/o late Daroga Singh R/o Village- Balihar
(Shribazar), P.S. Surajpura, District Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashutosh Tripathy, Advocate

For the Opposite Party/s : Smt. Pronati Singh, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 28-09-2016 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

This is the second modification application filed by the petitioners. Petitioners were granted anticipatory bail in Cr. Misc. No.15510/2015 vide order dated 28.05.2015 in connection with Surajpura P. S. Case No. 75 of 2012, pending in the court of Sub Divisional Judicial Magistrate, Bikramganj, Rohtas in the event of their surrender within a period of four weeks from the date of the said order.

It has been submitted that earlier the modification application was filed and vide order dated 27.04.2016 passed in Cr. Misc. No. 13317 of 2016, four weeks' time was further allowed for their surrender and subject to condition to deposit a sum of Rs. 250/- (Two Hundred Fifty) each with the District Legal Aid Committee, Rohtas. It has been submitted that Rs. 250/-

each has been deposited in the District Legal Aid Committee, Rohtas at Sasaram on 21.05.2016 in pursuance to the said order but the petitioners could not surrender within time allowed in the earlier modification order dated 27.04.2016.

It has been submitted that the petitioner No. 1 was suffering from high viral fever and was under treatment and since it was wrongly advised that petitioner No. 2 could not surrender alone hence both the petitioners could not surrender within time, so fixed. Learned counsel for the petitioners thus seeks further four weeks' time be allowed to surrender.

Under the facts and circumstances, the time granted under order 28.05.2015 passed in Cr. Misc. No. 15510 of 2015 for surrender before the Court below is further extended by further four weeks from today and the said order is modified to the extent as indicated above.

This modification application is accordingly, allowed.

(Nilu Agrawal, J)

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