

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15294 of 2016

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1. Sushila Devi Wife of Sri Brijnandan Singh @ Birendra Singh
 2. Brijnandan Singh @ Birendra Singh, Son of Shivshankar Singh
 3. Bipin Singh Son of Sri Brijnandan Singh @ Birendra Singh
 4. Binod Singh, Son of Sri Brijnandan Singh @ Birendra Singh
- All residence of village – Champ Tola Teghara, Police Station – Pachrukhi (Sarai O.P.), District – Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shambhu Prasad Yadav

For the Opposite Party/s : Mr. Madhuranand Jha (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 06-04-2016

The present application has been filed for modification of order dated 15.02.2016 passed in Cr. Misc. No. 6726 of 2016 for confirmation of the provisional anticipatory bail.

The petitioners were granted provisional anticipatory bail in a case registered for the offences punishable under Sections 147, 148, 149, 323, 324, 341, 307, 295A and 504 of the Indian Penal Code. On submission of learned counsel for the petitioners that the informant side have received simple injury the petitioners were granted provisional anticipatory bail for two months. The provisional bail was to be confirmed by the learned court below if it is found that no grievous injury has been caused to the informant's side, but if it is found otherwise then the

petitioners will surrender and pray for regular bail.

It is submitted by learned counsel for the petitioners that the said submission was made on wrong instructions, though, one of the injuries of injured Guddu Ali have been found to be grievous.

This Court is not inclined to entertain the present modification application. But keeping in view of the nature of accusation and the counter version of the occurrence, this Court sees no reason for the learned court below not to consider the prayer for regular bail of the petitioners, if the petitioners surrender before the learned court below within a period of four weeks from today in connection with Pachrukhi P.S. Case No. 300 of 2015 pending in the court of learned Chief Judicial Magistrate, Siwan. It is expected from the learned court below to dispose of the bail application of the petitioners preferably on the same day.

Accordingly, this modification application is disposed of.

(Dinesh Kumar Singh, J)

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