

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26213 of 2017

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1. Geeta Devi Wife of Late Dineshwar Singh, Resident of Village-Baisa, P.O. Windi, P.S. & District Banka.
2. Kalpanna Devi Daughter of Dineshwar Singh, Resident of Village-Jhitkiya, P.S. Mahesh Khunt, District Khagaria

.... Petitioners

Versus

1. The State of Bihar
2. Bibha Devi Wife of Ravi Singh @ Rabi Singh Daughter of Sulo Ram Resident of Village-Jhitkiya, P.S. Mahesh Khunt, District Khagaria. At Present Mohalla Urdu Bazar P.S. Tatarpur District Bhagalpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar, Adv.

For the Opposite Party/s : Mr. Sri Murlidhar, APP

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 28-06-2017 Heard learned counsel for the parties.

This application has been filed for modification of the order passed in Cr.Misc.No. 33532/2010, whereby four weeks time had been granted to the two petitioners herein for surrender and to obtain anticipatory bail vide order passed on 7.10.2010 at Annexure 1 and although the bail application was allowed vide order passed on 9.2.2011 granting further one month time to the petitioners of the said bail application including the two petitioners herein, yet benefit was not availed. The present application has been filed praying for extension of time, inter alia, on grounds of ignorance of the procedure.

It is submitted by Mr. Mrityunjay Kumar, learned counsel



for the petitioner, that whereas petitioner no.1 is the mother-in-law aged about 65 years, petitioner no.2 is the Nanad.

Having heard learned counsel for the parties, the order dated 7.10.2010 as confirmed in the order dated 9.2.2011 passed in Cr.Misc.No. 33532/2010 is modified to the extent that the two petitioners are granted further four weeks time from today to surrender and whereupon they would be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Sub-divisional Judicial Magistrate, Khagaria in Complaint Case No. 141C of 2008, subject to the conditions as laid down under section 438(2) Cr.P.C.

It is made clear that should the petitioners fail to avail of the extension granted today, no further modification would be allowed.

The order(s) dated 7.10.2010 and 9.2.2011 passed in Cr.Misc.No. 33532 of 2010 stands modified to the extent indicated above.

The modification application is allowed.

(Jyoti Saran, J)

Surendra/-

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