

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23117 of 2017

Arising Out of PS. Case No.- Year- Thana- District- Khagaria

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1. Umesh Singh Son of Narayan Singh.
 2. Kishor Singh, Son of Late Surya Narayan Singh. Both Resident of Village- Khargi Tirasi, P.S.- Gangour, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nakul Kumar Jamuar

For the Opposite Party/s : Mr. SRI NITYANAND

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-11-2017 Heard learned counsels for the parties.

The present application has been filed on behalf of the two petitioners above named for modification of order dated 6.5.2016 passed in Cr. Misc. No. 20100 of 2016 to the extent of extending the period of provisional anticipatory bail.

Learned counsel for the petitioner submits that petitioner no. 2 Kishor Singh has been arrested, hence, this application on behalf of petitioner no. 2 has become infructuous. Hence, he seeks permission to withdraw this application on behalf of petitioner no. 2.

Accordingly, this application stand dismissed as withdrawn so far as it relates to petitioner no.2 Kishor Singh.

It appears that the two petitioners were granted anticipatory



bail vide order dated 6.5.2016 passed in Cr. Misc. No. 20100 of 2016 in a case registered for the offences punishable under sections 147,148,149,323,427,504 and 506 of the IPC and section 27 of the Arms Act with stipulation to surrender within 12 weeks but it is submitted by learned counsel for the petitioners that petitioner no. 1 could not surrender due to serious illness.

Considering the nature of accusation and the grounds taken for modification, order dated 6.5.2016 passed in Cr. Misc. No. 20100 of 2016 is modified to the extent that the period of surrender of the petitioner no. 1 is extended by three weeks from the date of receipt/production of a copy of this order in connection with Khagaria (Gangour) P.S. Case No. 793 of 2015 pending in the court of the learned CJM, Khagaria.

With the aforementioned observation/direction, this application is disposed of.

(Dinesh Kumar Singh, J)

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