

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34927 of 2018

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1. Chhotu Yadav @ Jugar @ Gujar son of Bandhu Yadav,
2. Sohi Yadav son of Bandhu Yadav.
3. Mundrika Yadav son of Bandhu Yadav.
4. Ajo Yadav, son of Bandhu Yadav.
5. Chunu Yadav, son of Bandhu Yadav.
6. Heera Devi, wife of Ram Nandan Yadav.
7. Meena Devi wife of Fakira Prasad
8. Manju Devi wife of Mundrika Yadav.
9. Chinta Devi wife of Akalu Yadav.
10. Akalu Yadav, son of Bali Yadav. All Resident of Village- Kena Sarai, P.S. Mufasil, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 05-09-2018 Heard both sides.

The petitioners filed this criminal miscellaneous for modification of the order dated 19.05.2015 passed in Cr. Misc. No.38337 of 2014 by which the petitioners were granted anticipatory bail in Nawada S.C./S.T. P.S. Case No.18 of 2014, arising out of Complaint Case No.1731 of 2013.

Learned counsel for the petitioners submits that the petitioners went outside their village to earn their livelihood and, therefore, they could not surrender in the court within time.



It appears that petitioners were granted anticipatory bail on 19.05.2015 but the petitioners did not surrender in court for more than three years. No plausible explanation is given. The petitioners filed this modification petition for extension of time for their surrender only after more than three years.

Taking into consideration the facts, I am not inclined to modify the order dated 19.05.2015. Accordingly, the modification petition is dismissed.

If the petitioners surrender in the court below within two weeks from the date of receipt of this order, the court below shall consider the prayer for regular bail of the petitioners taking into consideration the fact that the petitioners were granted anticipatory bail.

(Prabhat Kumar Jha, J)

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