

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36570 of 2018

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1. Jawahar Singh, son of late Lal Bihari Singh,
 2. Chathu Kumar, son of Jawahar Singh,
 3. Jitendra Kumar, son of Jawahar Singh, All 1 to 3 are residents of
Village - Govindpur (Wallmi), P.S. - Phulwarisharif, District - Patna.
- Petitioner/s

Versus

1. The State of Bihar.
 2. Tarkeshwar Singh, son of Bikram Singh, resident of Shanti Niwas, Raja
Bazar, P.S. Shanti Nagar, District Patna.
- Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shaishav Kumar, Advocate
For the Opposite Party/s : Mr. Rajeev Nayan, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 27-06-2018

This application has been filed for modification of the order dated 23.04.2018 passed in Cr. Misc. No.59832 of 2017 by which the petitioners have been granted provisional anticipatory bail on certain terms and conditions.

Counsel for the petitioners has submitted that petitioners were directed to make payment of rupees three lac sixty five thousand to the Complainant-Opposite Party No.2 in two installments subject to final decision of the case as mentioned in the order itself.

Counsel for the petitioners has further submitted that during pendency of Cr. Misc. No.59832 of 2017 before this Court the Complainant has died which fact was not within the



knowledge of counsel for the petitioners. This fact was also not brought to the notice of Court by the counsel for Opposite Party No.2 (Complainant). Counsel for the petitioners submits that they are ready to make payment of the aforesaid amount to the wife of the Complainant-Opposite Party No.2.

In view of such, four weeks' further time from the date of receipt of copy of this order is granted to the petitioners to make payment, as ordered by this Court, in favour of wife of Opposite Party No.2 (Complainant) and thereafter surrender before the **Judicial Magistrate, 1st class, Patna**, in connection with **Complaint Case No.735-C of 2016** in terms of the order dated 23.04.2018 passed in Cr. Misc. No.59832 of 2017.

This modification application is, accordingly, allowed.

(Sanjay Priya, J)

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