

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15794 of 2019

In
CRIMINAL MISCELLANEOUS No.7460 of 2019

Arising Out of P.S. Case No.-432 Year-2018 Thana- DEEPNAGAR District- Nalanda

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1. VEERU KUMAR, aged about 30 years, (Male), Son of Lalo Yadav R/M - Tikulipar, P.S.- Bihar, Dist.- Nalanda at Biharsharif.
 2. Raju @ Bala Yadav, aged about 32 years, (Male), Son of Ashok Yadav R/M - Tikulipar, P.S.- Bihar, Dist.- Nalanda at Biharsharif.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Premchandra Yadav, Advocate
For the Opposite Party/s : Mr.Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 13-03-2019 Heard the learned counsel for the petitioner and learned APP for the State.

Petitioners have preferred the present modification application for modification of the order dated 08.02.2019 passed in Cr.Misc.No.7460 of 2019, whereby the petitioners have been granted the privilege of bail on completion of three months in custody.

He submits that the petitioners are languishing in judicial custody since 25.12.2018 and three months would only be completed on 25.03.2019, but since the cousin, namely, Nata @ Photo Yadav, aged about 24 years son of late Govind Yadav, who is the cousin brother of the petitioner died on 07.03.2019



and the father of the petitioner and his deceased cousin are full brothers and there is no one else in the family of his deceased cousin brother, both the petitioners have to perform *Saradh* ceremony. However, petitioners have not enclosed any documents whether their cousin has died.

Under such circumstances, let the petitioners file an appropriate application before the court of learned Additional Sessions Judge-VI-cum-Special Judge, Excise, Nalanda at Biharsharif or his successor court in connection with Deep Nagar P.S.Case No.432 of 2018 and on satisfaction that the petitioners have to perform *Saradh* of the deceased cousin, the above named petitioners be released on provisional bail for 14 days. The petitioners would surrender before the learned court below and file a certificate of the surrender before this Court.

Modification application is disposed of with the directions and observations above.

(Nilu Agrawal, J)

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