

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.26690 of 2019

In

CRIMINAL MISCELLANEOUS No.64079 of 2018

Arising Out of PS. Case No.-115 Year-2018 Thana- BHANGWANPUR HAT District- Siwan

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1. Rinku Pandey @ Rabi Prakash Pandey, male, aged about 33 years
 2. Pappu Pandey @ Anand Prakash Pandey, male, aged about 37 years
Both Sons of Bishwanath Pandey @ Vishwa Nath Pandey
 3. Bishwanath Pandey @ Vishwa Nath Pandey, male, aged about 70 years, Son
of Late Kapil Deo Pandey
All resident of Village- Mananpatti Sondhani, P.S.- Bhagwanpur Hatt,
District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Anita Kumari, Adv.

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 17-07-2019 A supplementary affidavit has been filed in Court.

Let it be taken on record.

2. The petitioners were granted the privilege of
anticipatory bail *vide* order dated 14.12.2018 passed in Cr.
Misc. No. 64079 of 2018 with the condition that if they



surrender before the Court below within a period of four weeks from the date of receipt/production of a copy of the order, they would be enlarged on bail on certain conditions.

3. Because of certain unavoidable reasons, the petitioners could not surrender before the Court below within the time specified in the aforesaid order. Hence, the present petition for modification of the order dated 14.12.2018, *viz.*, extending the period for surrendering before the Court below.

4. The order dated 14.12.2018 could have been modified earlier, but for the fact that some anomaly had crept in the order because of wrong generation of cause title in the Registry. This case actually arises out of P.S. Case No. 115 of 2018 dated 30.05.2018 of police station Bhagwanpur Hatt. The case was wrongly stated to be of Maharajganj police station. Hence, this Court considered the requirement of clarifying whether the statement made in the petition is correct.

5. Perused the supplementary affidavit.

6. For the reasons stated in the petition, the prayer



made on behalf of the petitioners for extending the period of their surrender before the Court below is allowed.

7. Should the petitioners abovenamed surrender before the Court below within a period of four weeks from today, they shall be enlarged on bail on their furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Siwan, in connection with Bhagwanpur Hatt P.S. Case No. 115 of 2018.

8. The other condition imposed in the order dated 14.12.2018, if any, shall subsist.

9. The order dated 14.12.2018 stands modified accordingly.

10. The application is allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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