IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26720 of 2019
In
CRIMINAL APPEAL (SJ) No.3980 of 2018

Arising Out of PS. Case No.-4 Year-2017 Thana- SC/ST District- Banka

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1. Jaykant Yadav Son of Ganouri Yadav
2. Ganouri Yadav Son of Late Babulal Yadav
   Both resident of Village - Dhaka, P.S.- Banka, District- Banka

... ... Petitioner/s

Versus

The State Of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Ajay Mukherjee
For the Opposite Party/s : Mr.Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 01-05-2019 This modification application has been filed for modification of order dated 08.01.2019 passed in Criminal Appeal (SJ) No. 3980 of 2018 with condition that petitioners shall surrender within a period of six weeks.

This modification application has been filed on the ground that the petitioners are labourers and working in Delhi and due to non-payment of their wages, they could not surrender before the learned court below within time.

Heard learned A.P.P. also.

Having heard both sides, in view of the facts and circumstances of the case, I am not inclined to modify the order dated 08.01.2019 passed by this Court in Criminal Appeal (SJ)

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No. 3980 of 2018, rather petitioners should surrender and make prayer for regular bail which shall be considered by the learned court below on the basis of materials as well as the fact that they have given the benefit of anticipatory bail, but they could not surrender and considering the same, the learned court below shall dispose of the matter, if possible, on the same day.

Accordingly, this modification application is disposed of.

(Vinod Kumar Sinha, J)

Amjad/-

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