

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42485 of 2019

In
CRIMINAL APPEAL (SJ) No.4427 of 2018

Arising Out of PS. Case No.-264 Year-2016 Thana- MASHRAK District- Saran

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1. DEEPAK KUMAR Son of Rajeshwar Das Resident of Village- Sautar Tir, P.S.- Mashrak, District- Saran.
 2. Umesh Kumar Das @ Umesh Das @ Dash @ Umesh Kumar Son of Feku Das Resident of Village- Sautar Tir, P.S.- Mashrak, District- Saran.
 3. Bhim Kumar Son of Shiv Vachan Mahto Resident of Village- Sautar Tir, P.S.- Mashrak, District- Saran.
 4. Pradip Kumar @ Pradeep Kumar Son of Rajeshwar Das Resident of Village- Sautar Tir, P.S.- Mashrak, District- Saran.
 5. Anupam Kumar Son of Late Arjun Singh Resident of Village- Mashrakh, Ramghat, P.S.- Mashrak, District- Saran.
 6. Manish Kumar Son of Basant Singh Resident of Village- Mashrakh, Ramghat, P.S.- Mashrak, District- Saran.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Prabhakar Singh
For the Opposite Party/s : Ms.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-07-2019 This application has been filed for modification of the judgment dated 17.1.2019 passed in Cr.Appeal(SJ) No. 4427 of 2018 by which petitioner Nos. 1 and 2 were directed to surrender and produce certificate with respect to SC/ST category and they were directed to be released on bail if they belong to SC/ST category and petitioner Nos. 3 to 6 were also directed to surrender within a period of six weeks from the



receipt of that order and on surrender they were directed to be released on bail.

Learned counsel for the petitioners has submitted that they could not surrender within the time as such their bail bonds have not been accepted by the court below and for that they may be allowed some more time to surrender.

Heard learned APP also.

In the facts and circumstances, I am not inclined to interfere with the earlier order passed by this Court. However, if the petitioners surrenders and pray for regular bail, the same shall be considered by the learned Special Judge on the basis of the fact that they were granted anticipatory bail earlier by this Court but they could not appear in time and, if possible, to be disposed of on the same day.

(Vinod Kumar Sinha, J)

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