

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33267 of 2020
(Arising out of order dated 23.9.2020 passed in
CRIMINAL MISCELLANEOUS No.11858 of 2020)

Arising Out of PS. Case No.-176 Year-2019 Thana- HASANPUR District- Samastipur

1. Mahendar Mahto Son of Late Sundar Mahto Resident of Village - Patori, P.S. - Hasanpur, District - Samastipur.
2. Krishna Kumar @ Nepala @ Krishana Mahto Son of Late Sundar Mahto Resident of Village - Patori, P.S. - Hasanpur, District - Samastipur.
3. Ashok Kumar Mahto @ Ashok Mahto Son of Late Sundar Mahto Resident of Village - Patori, P.S. - Hasanpur, District - Samastipur.
4. Kailash Mahto @ Kailash Prasad Son of Late Sundar Mahto Resident of Village - Patori, P.S. - Hasanpur, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Kumar, Adv.
For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 23-12-2020 Heard learned counsel for the petitioners and learned
APP for the State, through video conferencing.

The instant application has been filed by the petitioners for modification of the order dated 23.9.2020 passed in Cr. Misc. No. 11858 of 2020 (Mahendar Mahto and others vs. State of Bihar) whereby while granting anticipatory bail to petitioner nos. 1, 2 and 4, it is stated that parentage of petitioner nos. 2, 3 and 4 has been wrongly typed in the cause title at top of page no. 1 of the order.

It is submitted by learned counsel for the petitioners



that inadvertently the parentage of petitioner nos. 2, 3 and 4 in the petition of Cr. Misc. No. 11858 of 2020 was wrongly typed and consequently the same error has occurred in the cause title on page-1 of the order dated 23.9.2020.

It is submitted that the order dated 23.9.2020 be modified and name of fathers of petitioner nos. 2, 3 and 4 be corrected as follows :

a. The petitioner no. 2. - Krishna Kumar @ Nepala @ Krishana Mahto aged about 21 years, Gender – Male, son of Ganeshi Mahto.

b. The petitioner no. 3. - Ashok Kumar Mahto @ Ashok Mahto aged about 40 years, Gender – Male, son of Mahendra Mahto.

c. The petitioner no. 4. - Kailash Mahto @ Kailash Prasad aged about 23 years, Gender – Male, son of Ganeshi Mahto.

Having heard learned counsel for the parties and on going through the record of Cr. Misc. No. 11858 of 2020, I find that there is substance in the submission made on behalf of the petitioners.

The order dated 23.9.2020 passed in Cr. Misc. No. 11858 of 2020 is modified to the extent that on top of page-1 of



the order 'Krishna Kumar @ Nepala @ Krishna Mahto son of Late Sundar Mahto' shall be read as 'Krishna Kumar @ Nepala @ Krishna Mahto son of Ganeshi Mahto', 'Ashok Kumar Mahto @ Ashok Mahto son of Late Sundar Mahto' shall be read as 'Ashok Kumar Mahto @ Ashok Mahto son of Mahendra Mahto' and 'Ksilash Mahto @ Kailash Prasad son of Late Sundar Mahto' shall read as 'Kailash Mahto @ Kailash Prasad son of Ganeshi Mahto'.

It is further observed that by order dated 23.9.2020 anticipatory bail was granted to petitioner no. 1, 2 and 4 in the event of their arrest or surrender within a period of eight weeks. The said period having expired, the time granted for petitioner nos. 1, 2 and 4 to surrender in the learned Court below by order dated 23.9.2020 is extended by eight weeks from today.

Remaining part of the order dated 23.9.2020 shall remain unchanged.

The modification application stands allowed to the above extent.

(Partha Sarthy, J)

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