

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74805 of 2019

In
CRIMINAL MISCELLANEOUS No.61572 of 2018

Arising Out of PS. Case No.-7 Year-2014 Thana- JAYNAGAR District- Madhubani

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1. MAHESH SINGH Son of Late Kameshwar Singh
2. Pramod Kumar Purbe @ Pramod Purbey, Son of Sri Rameshwar Purbe, Both
are resident of Village - Jainagar Basti, P.S.- Jainagar, District - Madhubani.
... .. Petitioner/s

Versus

1. The State of Bihar.
2. Vinod Kumar Purbe, son of Parmeshwar Purbe, resident of village- ainagar
Basti, Dharmshala chowk, P.S.-Jainagar, District-Madhubani.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Adv.
For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

2 01-07-2020 Heard learned counsel appearing for the petitioners as
well as learned Additional Public Prosecutor appearing for the
State through video conferencing.

This modification petition has been filed for
modification of order dated 20.02.2019 passed in Cr. Misc.
No.61572 of 2018. The petitioners seek modification of the
above stated order dated 20.02.2019 passed in Cr. Misc.
No.61572 of 2018 for extension of period of surrender before
court below.

I do not find any ground to extend the period of
surrender because the order dated 20.02.2019 passed in Cr.



Misc. No.61572 of 2018 goes to show that prior to filing of Cr. Misc. No.61572 of 2018, petitioners filed Cr. Misc. No.42411 of 2014 for grant of anticipatory bail but the aforesaid Cr. Misc. No.42411 of 2014 was rejected by this Court vide order dated 18.05.2015. However, even after rejection of Cr. Misc. No.42411 of 2014, the petitioners did not surrender before the court below rather they chose to file fresh Cr. Misc. No.61572 of 2018. The above stated Cr. Misc. No.61572 of 2018 was disposed of directing the petitioners to surrender before the court below in connection with Jai Nagar P.S. Case No.7/2014 within six weeks from the date of receipt/production of copy of that order but, even then, the petitioners did not surrender before the court below and after passing of near about one year from the order dated 20.02.2019 passed in Cr. Misc. No.61572 of 2018 petitioners have filed this modification petition.

In view of the aforesaid facts and circumstances, this modification petition stands rejected.

(Hemant Kumar Srivastava, J)

Prakash Narayan /-

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