

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65764 of 2019

In
CRIMINAL MISCELLANEOUS No.50021 of 2019

Arising Out of PS. Case No.-418 Year-2018 Thana- BAIRIYA District- West Champaran

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1. DHANILAL YADAV, Son of Sri Janak Yadav, Resident of Village - Chautariya Tola, P.S.- Bairiya, Distt - West Champaran.
 2. Girikant Yadav @ Srikant Yadav @ Girja Kant Yadav Son of Late Mohan Yadav Resident of Village - Chautariya Tola, P.S.- Bairiya, Distt - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 26-02-2020 This application has been filed for modification of order dated 14.08.2019 passed in Criminal Miscellaneous No. 50021 of 2019, whereunder both the petitioners were allowed pre-arrest bail.

Learned counsel appearing on behalf of the petitioners submits that, in fact, the father's name of the petitioner No.1, namely, Dhanilal Yadav is Janak Yadav, which is also detailed in the F.I.R., but, inadvertently, in the Criminal Miscellaneous No. 50021 of 2019, the name of father of petitioner No.1 has been wrongly typed as Late Mohan Yadav. Further submission is that due to that reason, petitioner could not surrender before the trial



court within the stipulated time.

In view of the submission of the learned counsel for the petitioner, in the cause title of order dated 14.08.2019 passed in Criminal Miscellaneous No. 50021 of 2019, the name of father of petitioner No.1 Dhanilal Yadav be read as “**Janak Yadav**” in place of Late Mohan Yadav.

Let the time to surrender of the petitioner No.1 Dhanilal Yadav as ordered on 14.08.2019 passed in Criminal Miscellaneous No. 50021 of 2019 be further extended by four weeks from today in connection with Bairiya P.S. Case No. 418 of 2018, pending in the court of Addl. Chief Judicial Magistrate-VII, West Champaran at Bettiah.

Accordingly, the modification application is allowed and the order dated 14.08.2019 passed in Criminal Miscellaneous No. 50021 of 2019 is modified to the above extent.

(Rajendra Kumar Mishra, J)

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