

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80235 of 2019
In
CRIMINAL MISCELLANEOUS No.47966 of 2019

Arising Out of PS. Case No.-226 Year-2016 Thana- BIBHUTIPUR District- Samastipur

1. Ravindra Rai @ Ravindra Kumar Rai Son of Ram Ashish Rai Resident of Village - Kalyanpur Milki, P.S. - Bibhutipur, District - Samastipur.
2. Ashok Rai Son of Suraj Rai Resident of Village - Kalyanpur Milki, P.S. - Bibhutipur, District - Samastipur.
3. Prem Lal Ram Son of Srilal Ram Resident of Village - Kalyanpur Gadh, P.S. - Bibhutipur, District - Samastipur.
4. Siya Ram Mahto @ Sifram Mahto Son of Parikshan Mahto Resident of Village - Kalyanpur Milki, P.S. - Bibhutipur, District - Samastipur.
5. Satrughan Paswan Son of Late Akalu Paswan Resident of Village - Kalyanpur North, P.S. - Bibhutipur, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Kumar

For the Opposite Party/s : Mrs.Asha Kumari

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-01-2020 The present application has been filed for modification of order dated 01.08.2019 passed in Cr. Misc. No. 47966 of 2019 to the extent that by inadvertence in paragraph 3 of the Cr. Misc. Application it was recorded that the petitioners have no criminal antecedent, whereas petitioner no. 2, Ashok Rai is accused in two other cases, being Bibhutipur P.S. Case



No. 194 of 2013 registered for the offences punishable under Sections 420, 489(A), 489(B), 489(C)/34 of the Indian Penal Code and Sections 16/18 U.A.P. Act and Bibhutipur P.S. Case No. 311 of 2014 registered for the offences punishable under Sections 341, 323, 504/34 of the Indian Penal Code and Section 3(1)(x) of SC/ST (Prevention of Atrocities) Act. However, he is on bail in both the cases.

It is submitted by learned counsel for the petitioners that by inadvertence, in the Cr. Misc. Application, it was recorded due to non-availability of correct information.

Considering the fact that the accusation is omnibus and general against the mob, of blocking the road, not allowing the police to send the dead body for postmortem, the period of surrender is extended by three weeks from the date of receipt/production of a copy of this order in connection with Bibhutipur P.S. Case No. 226 of 2016, pending in the Court of learned Judicial Magistrate, Ist Class, Rosera, Samastipur.

However, learned counsel be careful from next time in making statement with regard to the criminal antecedent of the petitioner in paragraph 3 of the Criminal Miscellaneous Application.



Accordingly, this modification application is disposed
of.

(Dinesh Kumar Singh, J)

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