

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86788 of 2019

In
CRIMINAL MISCELLANEOUS No.15711 of 2013

Arising Out of PS. Case No.-2 Year-2013 Thana- BUXAR MUFFSIL District- Buxar

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1. MD. NAUSHAD ALI S/O Yunus Alam @ Md Yunus @ Yunus @ Md Yunus Gul Resident of House No 121/1, Kalyan Prasad Gali, Thakur Lohar Ki Gali Ward No. 12 Dumrao, P.S. Dumrao, District - Buxar.
 2. Jubair Alam S/O Yunus Alam @ Md Yunus @ Yunus @ Md Yunus Gul Resident of House No 121/1, Kalyan Prasad Gali, Thakur Lohar Ki Gali Ward No. 12 Dumrao, P.S. Dumrao, District - Buxar.
 3. Md Yunus @ Md Yunus Alam @ Yunus @ Md Yunus Gul S/O Late Gul Mohammad Resident of House No 121/1, Kalyan Prasad Gali, Thakur Lohar Ki Gali Ward No. 12 Dumrao, P.S. Dumrao, District - Buxar.

... .. Petitioners.

Versus

1. The State of Bihar.
2. Upendra Kumar Tiwari S/O Late Ram Chandra Tiwari Vill- Chausa, P.S. Buxar (M) Distt.- Buxar.

... .. Opposite Parties.

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Advocate. Mr. Kedar Jha, Advocate.
For the Opposite Party/s :		Mr. Amit Kumar Rakesh, APP
For the O.P. No.2	:	Mr. Ashok Kumar Garg, Advocate.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

6 18-12-2020 Heard learned counsel for the petitioners, learned counsel for the opposite party no.2 and learned APP for the State through virtual Court proceedings.

Learned counsel for the petitioners seeks permission to withdraw this application in respect of petitioner no.1-Md. Naushad Ali submitting that petitioner no.1 has already been apprehended and granted bail by the learned Court below.

Permission is granted.



Accordingly, this application in respect of petitioner no.1-Md. Naushad Ali is dismissed as infructuous.

The present application has been filed for modification of order dated 19.12.2013 passed in Cr. Misc. No.15711 of 2013.

Vide order dated 17.01.2014 passed in Cr. Misc. No.1616 of 2014 petitioners were further granted time to avail the privilege but they failed to avail the privilege within the stipulated period.

Learned counsel for the informant/opposite party no.2 submits that the informant has received Rs.18 lakhs, hence he has no objection if this application is allowed.

On the grounds mentioned in this modification application, the period of surrender is extended by four weeks from the date of receipt/production of a copy of this order in Buxar (M) P.S. Case No.2 of 2013 pending before the learned Chief Judicial Magistrate, Buxar.

Accordingly, the order dated 19.12.2013 passed in Cr. Misc. No.15711 of 2013 is modified to the extent as indicated above and this modification application is allowed.

(Anjani Kumar Sharan, J)

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