

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13630 of 2021

In
CRIMINAL MISCELLANEOUS No.49345 of 2018

Arising Out of PS. Case No.-313 Year-2018 Thana- KHAGARIA District- Khagaria

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1. Nilu Devi D/O Binod Kumar R/O Village-Post Office-Road Ward No.19, P.S-Khagaria, District-Khagaria.
 2. Suman Kumari D/O Binod Kumar R/O Village-Post Office-Road Ward No.19, P.S-Khagaria, District-Khagaria.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Indrajit Kumar
For the Opposite Party/s : Mr. N. N. Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-07-2021 Heard learned counsel for the petitioners and learned counsel for the State through virtual mode.

Learned counsel for the petitioners is directed to remove the defects, as pointed out by the Office, within a period of four weeks after restoration of normalcy.

The present application has been filed for modification of the order dated 10.08.2018 passed in Cr. Misc. No. 49345 of 2018 in connection with Adapur P.S. Case No. Khagaria P.S. Case No. 313 of 2018 by which the petitioners were granted anticipatory bail.

It has been submitted on behalf of the petitioners that the petitioners could not surrender as the police had submitted final



form against the petitioners. Subsequently the Court below had differed with the said police report and took cognizance of the offence against the petitioners also. Now, the petitioners want to comply with the order passed vide Annexure-1 to the present application.

The present application has been preferred after an inordinate delay of approximately three years. In my considered opinion, it is an abuse of the process of the Court.

Under the circumstances, I find no reason to interfere with the earlier order dated 10.08.2018 passed in Cr. Misc. No. 49345 of 2018.

The modification application is dismissed.

If the petitioners surrender in the Court below and pray for regular bail, the same shall be considered on its own merit without being prejudiced by this order and the same may be disposed of preferably on the same day taking into account that the petitioners are ladies.

(Sudhir Singh, J)

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