

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19432 of 2020

In
CRIMINAL MISCELLANEOUS No.1068 of 2020

Arising Out of PS. Case No.-235 Year-2019 Thana- BARGAINIA District- Sitamarhi

1. Tilakdhari Das @ Tildhari, Son of Akbal Das Resident of Village- Baheri, P.S.- Bairgania, District- Sitamarhi.
2. Dhandhari Das @ Dhandhari Son of Jagnath Das Resident of Village- Baheri, P.S.- Bairgania, District- Sitamarhi.
3. Ramnarain Paswan @ Jado Paswan Son of Shiv Nandan Paswan Resident of Village- Baheri, P.S.- Bairgania, District- Sitamarhi.
4. Munna Paswan Son of Shiv Nandan Paswan Resident of Village- Baheri, P.S.- Bairgania, District- Sitamarhi.
5. Ramyash Paswan @ Mulajim Son of Shiv Nandan Paswan Resident of Village- Baheri, P.S.- Bairgania, District- Sitamarhi.
6. Nagendra Patel @ Nagendra Raut Son of Late Kewal Raut Resident of Village- Baheri, P.S.- Bairgania, District- Sitamarhi.
7. Lal Babu Paswan Son of Jageshwar Paswan Resident of Village- Baheri, P.S.- Bairgania, District- Sitamarhi.
8. Karanjit Paswan Son of Ramayan Paswan Resident of Village- Baheri, P.S.- Bairgania, District- Sitamarhi.
9. Kamlesh Paswan @ Amlesh Paswan @ Amresh Son of Ram Narain Paswan Resident of Village- Baheri, P.S.- Bairgania, District- Sitamarhi.
10. Kamod Mahto Son of Ganesh Mahto Resident of Village- Baheri, P.S.- Bairgania, District- Sitamarhi.
11. Awadhesh Singh @ Awadhesh Kumar Singh, Son of Late Ram Ayodhya Singh, Resident of Village- Baheri, P.S.- Bairgania, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Advocate.
For the Opposite Party/s: Mr.Ram Bilash Roy Raman, APP



**CORAM: HONOURABLE MR. JUSTICE RAJENDRA
KUMAR MISHRA**

ORAL ORDER

5 17-02-2021 Heard learned counsel appearing for the petitioners
and the learned APP appearing for the State.

This application has been filed for modification of
order dated 03.02.2020 passed in Criminal Misc. No. 1068 of
2020.

Learned counsel for the petitioners submits that vide
order dated 03.02.2020 passed in Criminal Misc. No. 1068 of
2020, petitioner no. 11, namely, Awadhesh Singh @ Awadhesh
Kumar Singh, along with 11 others were ordered to be released
on bail in the event of arrest and surrender before the court
below within a period of four weeks in connection with
Bairgania P.S. Case No. 235 of 2019, pending in the court of
Chief Judicial Magistrate, Sitamarhi, but due to some
unavoidable circumstances, petitioner no.11, namely, Awadhesh
Singh @ Awadhesh Kumar Singh, could not surrender before
the court below within the stipulated time. Learned counsel for
the petitioners, further, submits that in the cause title of order
dated 03.02.2020, the name of village and parentage of
petitioner no. 11, namely, Awadhesh Singh @ Awadhesh Kumar
Singh, has wrongly been typed as “Patahi” and “Lakhindra



Paswan”, respectively, in place of “Baheri” and “Late Ram Ayodhya Singh”, which is detailed in anticipatory bail petition filed in ABP No. 2242 of 2019 before the learned Sessions Judge, Sitamarhi, which would appear from annexure 2/1 to the supplementary affidavit filed on behalf of the petitioners.

In view of the above submission, in the cause title of order dated 03.02.2020 passed in Criminal Misc. No. 1068 of 2020, the village and parentage name of petitioner no.11, Awadhesh Singh @ Awadhesh Kumar Singh, be read as “Baheri” and “Late Ram Ayodhya Singh”, respectively, in place of “Patahi” and “Lakhindra Paswan”. The period of surrender of petitioner no. 11, Awadhesh Singh @ Awadhesh Kumar Singh, is extended for four weeks from today. The order dated 03.02.2020 passed in Criminal Misc. No. 1068 of 2020 is modified to the said extent.

Accordingly, this application is disposed of.

(Rajendra Kumar Mishra, J)

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