

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26371 of 2021

In
CRIMINAL MISCELLANEOUS No.18114 of 2020

Arising Out of PS. Case No.-182 Year-2019 Thana- JOKIHAT District- Araria

1. AZHAR @ MD. AZHAR ANSARI @ MD.AZHAR HUSSAIN Son of Suleman Resident of village - Bagmara, Police station - Jokihat, District - Araria.
2. Shah Hussain @ Md. Shah Hussain Son of Azhar Resident of village - Bagmara, Police station - Jokihat, District - Araria.
3. Ata Hussain @ Md. Ata Hussain Son of Azhar Resident of village - Bagmara, Police station - Jokihat, District - Araria.
4. Ali Hasan @ Alihassan Son of Azhar Resident of village - Bagmara, Police station - Jokihat, District - Araria.
5. Bibi Fargana @ Bibi Farhana Wife of Shah Hussain Resident of village - Bagmara, Police station - Jokihat, District - Araria.
6. Shahbag Son of Late Mazhar Resident of village - Bagmara, Police station - Jokihat, District - Araria.
7. Kari Son of Late Mazhar Resident of village - Bagmara, Police station - Jokihat, District - Araria.
8. Athar @ Md. Athar Hussain Son of Late Suleman Resident of village - Bagmara, Police station - Jokihat, District - Araria.
9. Asgar @ Md. Ashgar Son of Azhar Resident of village - Bagmara, Police station - Jokihat, District - Araria.
10. Anwar Son of Athar Resident of village - Bagmara, Police station - Jokihat, District - Araria.
11. Minhaz @ Minhaj Alam Son of Late Soeb Resident of Kashibari, Police station - Jokihat, District - Araria.
12. Ahad @ Adad Son of Bahrul Resident of village - Bagmara, Police station - Jokihat, District - Araria.
13. Wajid Son of Ahad Resident of village - Bagmara, Police station - Jokihat, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s



Appearance :

For the Petitioner/s : Mr.Viveka Nandsingh, Advocate

For the Opposite Party/s : Mr.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.

Counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks from the date of restoration of normalcy.

The present application has been filed for modification of the order dated 17.07.2020 passed in Cr.Misc.No. 18114 of 2020, by which the petitioners were granted anticipatory bail in connection with Jokihat P.S. case No.182 of 2019, pending in the court of Chief Judicial Magistrate, Araria and the petitioners were directed to surrender in the court below within a period of eight weeks.

It has been submitted that in the order dated 17.07.2020 passed in Cr.Misc.No.18114 of 2020, due to typographical error the name of the husband of petitioner No.5 has wrongly been mentioned as Shah Hussain instead of Azhar and in the name of petitioner No.7 Kari aged about 21 years (Male) son of Late Mazhar has wrongly been mentioned instead of Kari aged about 21 years (Female) Daughter of Late Mazhar.



Let in the order dated 17.07.2020 passed in Cr.Misc.No.18114 of 2020, the name of the husband of petitioner No.5 be read as Azhar in place of Shah Hussain and the name of petitioner No.7 be read as Kari aged about 21 years (Female) Daughter of Late Mazhar in place of Kari aged about 21 years (Male) son of Late Mazhar.

It is submitted on behalf of the counsel for the petitioners that due to some unavoidable reasons the petitioners could not surrender in the court below well within time. It is further prayed on behalf of the counsel for the petitioners that further time may be extended so that the petitioners could surrender in the court below.

Considering the submissions made on behalf of the learned counsel for the petitioners and the grounds mentioned in the modification application, the period of surrender of the petitioners in the court below is extended for a further period of eight weeks from the date of receipt/production of a copy of this order.

The rest of the conditions stipulated in the order will be same.

The order dated 17.07.2020 passed in Cr.Misc.No. 18114 of 2020, is modified to the extent as indicated above.



The modification application is, accordingly, allowed.

(Sudhir Singh, J)

Narendra/-

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