

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7869 of 2021

In
CRIMINAL MISCELLANEOUS No.7768 of 2020

Arising Out of PS. Case No.-597 Year-2019 Thana- PIRBAHOR District- Patna

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1. MD. RIZWAN @ BHOLU @ MD. BHONDU @ RIZWAN Son of Late Md. Khurshid Resident of Mohalla - Marwari Gali, P.S.- Pirmahore, District - Patna.
 2. Shabbir Mobasir @ Md. Shabbir Son of Shahbaz Mobassir Resident of Mohalla - S.S. Capital Market, P.S.- Pirmahore, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No.II,
Mr.Gajendra Kumar Singh, Advocates
For the Opposite Party/s : Mr. A.G

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 03-02-2021 Heard learned counsel for the petitioners and the State.

This application has been filed by the petitioners for modification of order dated 28.02.2020 passed in Cr. Misc. No. 7768 of 2020, whereby petitioners were allowed anticipatory bail. One of the conditions therein was that they should surrender within four weeks from the date of the order. However, it is submitted that the petitioners, due to the reasons mentioned in this application, could not surrender within the aforesaid period and, thus, petitioners seek extension of the time for surrender.

Mr. Manish Kumar No.II, learned counsel for the



petitioners, further submits that one Pirbahore P.S. Case No.598/2019 has been instituted against the petitioners by the police for the same occurrence but inadvertently this fact was not brought to the notice of Hon'ble Court and it was mentioned in the order dated 28.02.2020 passed in Cr. Misc. No. 7768 of 2020 that petitioners have no criminal antecedent and it was also mentioned in the order that bail would be granted to the petitioners after due verification of their antecedent.

In the facts and circumstances of the case, this application is allowed.

Let the period of surrender as per order dated 28.02.2020 passed in Cr. Misc. No. 7768 of 2020 be extended by further four weeks from the date of this order.

It is further clarified that except the present case and Pirbahore P.S. Case No.598/2019, which was instituted by the police, as submitted by learned counsel for the petitioners, if petitioners have any criminal antecedent, they would not be granted bail by the court below.

(S. Kumar, J)

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