

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44785 of 2021

In
CRIMINAL MISCELLANEOUS No.37058 of 2020

Arising Out of PS. Case No.-37 Year-2020 Thana- NAYAGAON District- Saran

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1. RAJ BALLAV MAHTO @ RAJ BALAN MAHTO @ RAJ VALAM MAHTO Son of Sipahi Mahto Resident of Village - Shobhapur, Police Station - Nayagaon, District - Saran.
 2. Jitendra Mahto Son of Raj Ballav Mahto @ Raj Balan Mahto @ Raj Valam Mahto Resident of Village - Shobhapur, Police Station - Nayagaon, District - Saran.
 3. Chhotayee Mahto Son of Raj Ballav Mahto @ Raj Balan Mahto @ Raj Valam Mahto Resident of Village - Shobhapur, Police Station - Nayagaon, District - Saran.
 4. Kariman Mahto @ Dharmendra Mahto Son of Raj ballav Mahto @ Raj balan mahto @ Raj Valam Mahto Resident of Village - Shobhapur, Police Station - Nayagaon, District - Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Rajesh Kumar Singh
For the Opposite Party/s : Mr. C. Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-08-2021 Heard learned counsel for the petitioners and learned counsel for the State through virtual mode.

Learned counsel for the petitioners seeks permission of the Court to withdraw this application in respect of petitioner no. 3 as he has been taken into judicial custody.

Permission is accorded.

The application is dismissed as withdrawn in respect of petitioner no. 3.



Learned counsel for the petitioner nos. 1, 2 and 4 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 15.04.2021 passed in Cr. Misc. No. 37058 of 2020 by which the petitioners were granted anticipatory bail in connection with Nayagaon P.S. Case No. 37 of 2020 to the satisfaction of learned 2nd Additional Sessions Judge -cum- Special Judge, Excise, Saran at Chapra and the petitioners were directed to surrender in the Court below within a period of eight weeks.

Learned counsel for the petitioner nos. 1, 2 and 4 submits that due to some unavoidable reasons they could not surrender in the Court below well within time. It is prayed on behalf of the learned counsel for the petitioner nos. 1, 2 and 4 that further time may be extended so that petitioner nos. 1, 2 and 4 could surrender in the Court below.

Considering the submissions made on behalf of the learned counsel for the petitioner nos. 1, 2 and 4 and the grounds mentioned in the modification application, the period of surrender of the petitioner nos. 1, 2 and 4 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 15.04.2021 passed in Cr. Misc. No. 37058 of 2020 is modified to the extent as indicated above.

The modification application is, accordingly, allowed.

(Sudhir Singh, J)

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