

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41697 of 2021

In

CRIMINAL MISCELLANEOUS No.13944 of 2021

Arising Out of PS. Case No.-222 Year-2020 Thana- KHIJARSARAI District- Gaya

1. ASAGAR KHAN Son of Late Jhuri Khan Resident of Village - Mandai, P.S.- Khizersarai, Distt.- Gaya, Bihar.
2. Md. Imteyaz Khan Son of Asagar Khan Resident of Village - Mandai, P.S.- Khizersarai, Distt.- Gaya, Bihar.
3. Parwez Khan Son of Asagar Khan Resident of Village - Mandai, P.S.- Khizersarai, Distt.- Gaya, Bihar.
4. Ashraf Khan Son of Asagar Khan Resident of Village - Mandai, P.S.- Khizersarai, Distt.- Gaya, Bihar.
5. Khurshid Khan Son of Late Kharatu Khan Resident of Village - Mandai, P.S.- Khizersarai, Distt.- Gaya, Bihar.
6. Mustafa Khan Son of Late Kharatu Khan Resident of Village - Mandai, P.S.- Khizersarai, Distt.- Gaya, Bihar.
7. Maulana Mohammed Afak Son of Jehangir Hussain Resident of Village - Bhadaya, P.S.- Barachatti, Distt.- Gaya. at Presently resident of village - Mandai, P.S.- Khizersarai, Distt.- Gaya, Bihar.
8. Mohammed Naushad Khan Son of Shaheed Ali Resident of Village - Horma , P.S.- Khizersarai, Distt.- Gaya, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Avinash Kumar Singh

For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

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

Learned counsel for the petitioners is directed to remove the defect(s), 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 13-04-2021 passed in Cr. Misc. No. 13944 of 2021 by which the petitioners were granted anticipatory bail in connection with Khizarsarai P.S. Case No. 222 of 2020 pending in the court of learned Additional Chief Judicial Magistrate-IV, Gaya.

It is submitted on behalf of the petitioners that due to communication gap, the petitioners could not surrender within stipulated 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 shall remain the same as mentioned in the order dated 13-04-2021 passed in Cr. Misc. No. 13944 of 2021.

The order dated 13-04-2021 passed in Cr. Misc. No. 13944 of 2021 is modified to the extent as indicated above.

The modification application is, accordingly, disposed of.

(Sudhir Singh, J)

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