

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8360 of 2021

In
CRIMINAL MISCELLANEOUS No.42936 of 2018

Arising Out of PS. Case No.-65 Year-2018 Thana- AMAUR District- Purnia

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1. MD. SAIFUL Son of Md. Wasim @ Md Fakir Resident of Village - Ramnagar, P.S.- Amaour, District - Purnea
 2. Keshawari Wife of Md. Saiful Resident of Village - Ramnagar, P.S.- Amaour, District - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Fazle Karim
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 30-01-2021 Heard both sides.

The petitioners filed this petition for modification of the order dated 07.08.2018 passed in Cr. Misc. No. 42936 of 2018 by which six persons, including the petitioners, were granted anticipatory bail.

The learned counsel for the petitioners submits that petitioners could not surrender in court in time as they went outside the village for earning their livelihood but from the records, it appears that petitioners and four others were granted anticipatory bail vide order dated 07.08.2018. The petitioner No.1 is cousin of the husband of the deceased and petitioner No.2 is wife of petitioner No.1. The reasons shown in the



petition are not satisfactory. The petitioners filed this petition for modification only after two and half years of the order passed in Cr. Misc. 42936 of 2018.

Taking into consideration the facts aforesaid, I do not find any reason to modify the order. This modification petition is, accordingly, dismissed.

However, if the petitioners surrender in the court below, the learned court below shall consider the prayer for regular bail of the petitioners on merits and also taking into consideration the facts that petitioners were granted anticipatory bail and dispose of the bail petition, preferably, on the same day.

(Prabhat Kumar Jha, J)

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