

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35569 of 2020

In
CRIMINAL MISCELLANEOUS No.15855 of 2020

Arising Out of PS. Case No.-268 Year-2019 Thana- BARSOI District- Katihar

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1. Sher Mohammad, aged about 32 years, Gender-Male, Son of Rafique, resident of Village-Rajbari, P.S.- Barsoi, District – Katihar.
 2. Md. Lukman, aged about 30 years, Gender-Male, Son of Sirajuddin, resident of Village-Rajbari, P.S.- Barsoi, District – Katihar.
 3. Md. Azad, aged about 28 years, Male, 2nd Son of Mofizuddin, resident of Village - Rajbari, P.S.- Barsoi, District-Katihar.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Md. Musowir, Advocate.
For the Opposite Party : Mrs. Renuka Ratnakar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-02-2021 Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period of four weeks.

Heard learned counsel for the petitioners and learned counsel for the State.

The present application has been filed for modification of the order dated 14.07.2020, passed in Cr. Misc. No. 15855 of 2020, by which the petitioners were granted anticipatory bail in connection with Barsoi P.S. Case No. 268 of 2019, pending in the court of learned A.C.J.M., Katihar.

Learned counsel for the petitioners submits that due to



some unavoidable reasons, the petitioners could not surrender in the court below well within time. It is prayed on behalf of the learned counsel for the petitioners that further time may be extended so that the petitioners could surrender in the court below. It is further prayed that due to inadvertent mistake, in the main bail application filed on the petitioners being Cr. Misc. No. 15855 of 2020, the name of resident of village of the aforesaid three petitioners has been typed as 'Maheshpur' in place of 'Rajbari'. For the same reason, at the top in the order dated 14.07.2020, passed in Cr. Misc. No. 15855 of 2020, the name of resident of village of the aforesaid three petitioners has been typed as 'Maheshpur' in place of 'Rajbari'. Likewise, due to inadvertent mistake, in paragraph no. 4 of the order dated 14.07.2020, passed in Cr. Misc. No. 15855 of 2020, Section '303' has been typed in place of '302'.

Considering the submissions made on behalf of learned counsel for the petitioners and the grounds mentioned in the modification application, at the top in the order dated 14.07.2020, passed in Cr. Misc. No. 15855 of 2020, let the name of resident of village of the aforesaid three petitioners be read as 'Rajbari' in place of ' Maheshpur' and in paragraph no. 4 of the order dated 14.07.2020, passed in Cr. Misc. No. 15855 of 2020,



Section '302' be read in place of '303' and the period of surrender of the petitioners in the court below is also extended for a further period of six 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 14.07.2020, passed in Cr. Misc. No. 15855 of 2020, is modified to the extent as indicated above.

The present modification application is disposed of.

Let this order be communicated to the learned court below through e-mail.

(Sudhir Singh, J)

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