

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6102 of 2022

In
CRIMINAL MISCELLANEOUS No.5461 of 2020

Arising Out of PS. Case No.-579 Year-2019 Thana- SARAIYA District- Muzaffarpur

1. BINDESHWAR MAHTO, son of Late Punit Mahto, Resident of village- Rapauli, P.S. Saraiya, District-Muzaffarpur.
2. MANOJ MAHTO, son of Bindeshwar Mahto, Resident of village- Rapauli, P.S. Saraiya, District-Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR THROUGH ADVOCATE GENERAL OFFICE

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh, Advocate
For the Opposite Party/s : Mr.Raj Ballabh Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

6 30-03-2022 Heard learned counsel appearing on behalf of petitioner and learned A.P.P. for the State.

This application is filed for Modification of order dated 26.10.2021 passed in Criminal Miscellaneous No. 5461 of 2020.

Learned counsel appearing on behalf of the petitioners submits that vide order dated 26.10.2021 passed in Criminal Miscellaneous No. 5461 of 2020, the petitioners were directed to be released on bail in the event of their arrest or surrender before the court below within the period of four weeks. Each petitioner shall execute a personal bond of Rs. 50,000/- (Rs. Fifty thousand) and on furnishing the bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the



satisfaction of the learned Addl. C.J.M., West Muzaffarpur, in connection with Saraiya P.S. Case No. 579 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C., but due to certain difficulties and medical treatment, petitioners could not surrender before the court below within the stipulated period. He prays that within one week time he will surrender before the Court below.

The petitioner is directed to surrender before the Court below on or before 08.04.2022. Accordingly, the modification application is allowed and the order dated 26.10.2021 passed in Criminal Miscellaneous No. 5461 of 2020 is modified to the above extent.

The Court below is directed to verify about the criminal antecedent of the petitioner as to whether he has been involved in any other criminal cases during the period he has not surrendered before the Court below.

Accordingly, this application stands disposed of.

(Purnendu Singh, J)

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