

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15604 of 2022

In
CRIMINAL MISCELLANEOUS No.23228 of 2021

Arising Out of PS. Case No.-189 Year-2020 Thana- EKANGARSARAI District- Nalanda

1. SURESH PRASAD @ DILIP KUMAR NIRALA S/o Late Basudev Prasad @ Jagdeo Gop R/o village- Gaderia Bigha, P.O.- Koshiyawan, P.S.- Ekangar Sarai, District- Nalanda
2. Manish Kumar @ Ashish Raj S/o Anil Prasad R/o village- Gaderia Bigha, P.O.- Koshiyawan, P.S.- Ekangar Sarai, District- Nalanda
3. Ranvir Prasad @ Ranveer Kumar S/o Suresh Prasad @ Dilip Kumar Nirala R/o village- Gaderia Bigha, P.O.- Koshiyawan, P.S.- Ekangar Sarai, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sourav Suman
For the Opposite Party/s : Mr.Mithlesh Kumar Khare

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

- 3 22-06-2022 The present modification petition has been filed to the extent that the name of petitioner no.1 Suresh Prasad, who was granted bail in Cr.Misc. No. 23228 of 2021 is Dilip Kumar Nirala and in the FIR it has wrongly been mentioned as Suresh Prasad. It has also been submitted that the father's name of Dilip Kumar Nirala is late Jagdeo Gope and it has wrongly been mentioned as late Basudev Prasad. In this respect, a report was called for from the Superintendent of Police, Nalanda. The report dated 16.04.2022 under memo no.2741 received from the Superintendent of Police, Nalanda is annexed at Flag 'R'. It has been mentioned in the report that during the course of inquiry, it was detected that Suresh Prasad @ Dilip Kumar Nirala was



the son of Basudev Prasad and Basudev Prasad were three brothers, namely, Basudev Prasad, Jagdeo Gope and Brahmdeo Prasad. Jagdeo Gope was issueless and all the three brothers have died. Dilip Kumar Nirala was in Home-guard and thereafter he joined the Bihar Police and retired from the post of Head constable and as per the report, Dilip Kumar Nirala is known as Suresh Prasad in his village.

Considering the above-mentioned facts and circumstances, the order dated 27.01.2022, passed in Cr.Misc. No. 23228 of 2021 is modified to the extent that the name of petitioner no.1 be read as Suresh Prasad @ Dilip Kumar Nirala, s/o Basudev Prasad. The time for surrender of the petitioner is extended by four weeks.

Since at the time of arguments, there was no mention about petitioner nos. 2 and 3 by the arguing counsel, so the matter is confined to petitioner no.1 only.

The application is accordingly disposed of.

(Nawneet Kumar Pandey, J)

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