

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49810 of 2022

In
CRIMINAL MISCELLANEOUS No.91 of 2021

Arising Out of PS. Case No.-114 Year-2015 Thana- KHAJANCHI HAT District- Purnia

1. ROHIT KUMAR PODDAR S/O SURESH KUMAR PODDAR @ SURESH PODDAR Resident of village- Khushkibagh Hat, P.S.- Sadar District- Purnea.
2. SURESH KUMAR PODDAR @ SURESH PODDAR S/O GANESH PODDAR Resident of village- Khushkibagh Hat, P.S.- Sadar District- Purnea.
3. SONI DEVI W/O ROHIT KUMAR PODDAR Resident of village- Khushkibagh Hat, P.S.- Sadar District- Purnea.
4. ANJU KUMARI D/O SHIV SHANKAR RAY Resident of Village- Dokraya Wishanpur, P.S.- Mansahi, District- Katihar.
5. MITHILESH KUMAR CHAUDHARY S/O BHAGWAT CHOUDHARY Resident of village- Tethi, P.S.- Naugachhia District- Bhagalpur.
6. SURAJ KUMAR S/O SURENDRA PODDAR @ SHIV SHANKAR RAY Resident of Village- Ashram Road Annamdouri Bhatta Bazar, P.S.- Sahayak K Hat District- Purnea

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate
For the Opposite Party/s : Mr. Amit Kumar Rakesh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-09-2022 Heard learned counsel for the petitioners and the State.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

At the outset, learned counsel for the petitioners



submits that during pendency of this application, the petitioner No. 6 namely, Suraj Kumar has already been arrested and hence, the present application with regard to the petitioner No. 6 has become infructuous.

Accordingly, this application with regard to petitioner No. 6 namely, Suraj Kumar only stands dismissed as infructuous.

The present application has been filed for modification of the order dated 21-01-2022 passed in Cr. Misc. No. 91 of 2021 by which the petitioner Nos. 1 to 5 were granted anticipatory bail in connection with K. Hat (Sahayak) P.S. Case No. 114 of 2015 pending in the court of learned Chief Judicial Magistrate, Purnea.

It is submitted on behalf of the petitioner Nos. 1 to 5 that they had gone outside the state for earning their livelihood and that is why, they could not surrender within the stipulated time. It is further prayed on behalf of the counsel for the petitioner Nos. 1 to 5 that further time may be extended so that the petitioner Nos. 1 to 5 could surrender in the court below.

Considering the submissions made on behalf of the learned counsel for the petitioner Nos. 1 to 5 and the grounds mentioned in the modification application, the order dated 21-



01-2022 passed in Cr. Misc. No. 91 of 2021 is modified to the extent that the period of surrender of the petitioner Nos. 1 to 5 in the court below is 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 shall remain the same as mentioned in the order dated 21-01-2022 passed in Cr. Misc. No. 91 of 2021.

Accordingly, this modification application stands disposed of.

(Sudhir Singh, J)

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