

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57397 of 2023

In

CRIMINAL MISCELLANEOUS No.32455 of 2023

Arising Out of PS. Case No.-188 Year-2022 Thana- CHORAUT District- Sitamarhi

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1. BIPIN PANJIYAR S/O NAKCHHEDI PANJIYAR VILLAGE-
MUKHIYAPATTI, PS- SAHARGHAT, DIST- MADHUBANI
 2. CHANDAN PANJIYAR SON OF BIPIN PANJIYAR VILLAGE-
MUKHIYAPATTI, PS- SAHARGHAT, DIST- MADHUBANI
 3. JITAN PANJIYAR SON OF BIPIN PANJIYAR VILLAGE-
MUKHIYAPATTI, PS- SAHARGHAT, DIST- MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar

For the Opposite Party/s : Mr. Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 25-08-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. Learned counsel for the petitioners submits that the petitioners were granted the privilege of anticipatory bail by order dated 24.05.2023 in Cr. Misc. No. 32455 of 2023, but later it transpired that the address of the petitioners in the anticipatory bail application was incorrectly typed, as such, they could not surrender. It is further submitted that the present modification application has been filed seeking modification of the order dated 24.05.2023 in Cr. Misc. No. 32455 of 2023 to the extent that the address of the petitioners be read as it has been incorporated in the modification application.



3. Learned A.P.P. for the State, Ms. Sucheta Yadav, vehemently opposes the modification application and submits that, no doubt, what has been submitted by the learned counsel for the petitioners, *prima facie*, appears to be true from perusal of the address of the petitioners in the FIR, but then six week's time was granted to them for surrendering and it appears that the petitioners did not surrender in time or else this fact would have come to their notice at the time of their surrender, it is next submitted that it appears that the petitioners were moving at their leisure and subsequently, they realized that in the anticipatory bail application, their address was incorrectly typed and thus they have filed the modification application after the period of surrender was over.

4. Considering the submissions made by the learned A.P.P. for the State, the Court is not inclined to entertain the modification application.

5. Accordingly, the modification application of the petitioners stands rejected.

(Satyavrat Verma, J)

HarshPandey/-

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