

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.4103 of 2023

In

CRIMINAL MISCELLANEOUS No.20633 of 2022

Arising Out of PS. Case No.-40 Year-2020 Thana- BHAGALPUR GRP CASE District-
Bhagalpur

-
1. Pardesi Kumar, male, aged about 29 years, Son of Luxman Nishad.
 2. Kallu Kumar @ Kalu Kumar, male, aged about 28 years, Son of Late Manilal Mandal @ Late Mannu Nishad.

Both are resident of Village- Lailakh, P.S.- Sabour, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh, Adv.

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, Adv.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 25-01-2023 Heard the learned counsel for the parties.

This is an application seeking modification of
the order dated 01.11.2021 passed in Cr. Misc. No.
13713 of 2021, whereby the application of the
petitioners for grant of anticipatory bail along with others



was allowed and they were directed to be released on bail, in the event of their arrest or surrender before the Court below within a period of eight weeks from the date of receipt/production of the copy of the order, on their furnishing bail-bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Addl. District & Sessions Judge-II-Cum-Special Judge, Excise, Bhagalpur in connection with Bhagalpur G.R.P. P.S. Case No. 40 of 2020, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

Earlier, *vide* order dated 11.05.2022, the application of the petitioners for the modification of the order dated 01.11.2021, seeking extension of time for surrendering before the Court below, was allowed. However, they, for some reason or the other, could not avail the benefit of the order.

It has been submitted on behalf of the petitioners that because of some unavoidable



circumstances, they could not surrender before the learned Court below within the stipulated period.

For the reasons stated in the application, the prayer is allowed.

The orders dated 01.11.2021 and 11/05/2022 are modified to the extent that if petitioner Nos. 1 and 2/Pardesi Kumar and Kallu Kumar @ Kalu Kumar respectively surrender before the learned Court below within a period of four weeks from today, they shall be released on anticipatory bail on the same terms and conditions as laid down in the order dated 01.11.2021.

The orders dated 01.11.2021 and 11/05/2022 stands modified to the extent indicated above.

The application stands allowed and disposed off accordingly.

(Ashutosh Kumar, J)

Praveen-II/-

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