

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.29063 of 2024
In
CRIMINAL MISCELLANEOUS No.36313 of 2022

Arising Out of PS. Case No.-402 Year-2021 Thana- KHAGARIA District- Khagaria

- 1. PRABHA DEVI, aged about 65 years, Female, W/O Harendra Prasad Singh R/O Village- Sagarmal Chowk, Ward No.-07, P.S- Khagaria, Distt.- Khagaria, Bihar- 851204.
- 2. Harendra Prasad Singh, Aged about 71 (Male), S/O Late Dwarika Prasad Singh R/O Village- Sagarmal Chowk, Ward No.-07, P.S- Khagaria, Distt.- Khagaria, Bihar- 851204.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 36240 of 2024
In
CRIMINAL MISCELLANEOUS No.20444 of 2023

Arising Out of PS. Case No.-402 Year-2021 Thana- KHAGARIA District- Khagaria

Ravish Kumar Singh son of Harendra Prasad Singh Village- Sagarmal Chowk W.No-7, Ps- Khagaria Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 29063 of 2024)
For the Petitioner/s : Mr.Dhananjay Kumar, Advocate
For the Opposite Party/s : Mr.Ram Sumiran Rai, APP
(In CRIMINAL MISCELLANEOUS No. 36240 of 2024)
For the Petitioner/s : Mr.Dhananjay Kumar, Advocate
For the Opposite Party/s : Mr.Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 12-07-2024 Heard Mr. Dhananjay Kumar, learned counsel
appearing on behalf of the petitioners and Mr. Ram Sumiran Rai



and Mr. Anant Kumar 1, learned APPs for the State.

2. Learned counsel appearing on behalf of petitioners seeks modification in the two bail applications bearing Cr. Misc. 36313 of 2022 arising out of Khagaria P.S. Case No.402 of 2021, filed on behalf of Prabha Devi and Harendra Prasad Singh, mother-in-law and father-in-law of the deceased respectively, and Cr. Misc. No.20444 of 2023 filed on behalf of Ravish Kumar Singh/husband of the deceased.

3. It is pointed out by learned counsel that interim protection was granted *vide* order dated 12.12.2022 to the petitioners of Cr. Misc. No. 36313 of 2022, the mother-in-law and father-in-law of the deceased and mother and father of the accused Ravish Kumar Singh, who had preferred separate bail application bearing Cr. Misc. No.20444 of 2023, in which no interim protection was granted to him. However, inadvertently, in Cr. Misc. No.20444 of 2023, it has been recorded in paragraph no.3 of the order dated 24.04.2023 that bail application of the petitioner must be considered on the same day considering the fact that petitioner had already been granted interim protection of this Court and same is required to be modified accordingly.

4. This Court had granted interim protection to the



petitioners of Cr. Misc No.36313 of 2022 vide order dated 12.12.2022 and, as such, the order passed in Cr. Misc. No.20444 of 2023 in respect of the husband of the deceased Ravish Kumar Singh to the extent that “petitioner had already been granted interim protection of this Court” is deleted from order dated 21.04.2023 and is modified accordingly.

5. Considering the fact that vide order dated 12.12.2022, the petitioners of Cr. Misc. No.36313 of 2022 were already granted interim protection by this Court, the order passed in Cr. Misc. No.20444 of 2023 is directed to be substituted in Cr. Misc. No.36313 of 2022, in which the petitioners were granted interim protection. Accordingly, the order dated 12.12.2022 passed in Cr. Misc. No.36313 of 2022 is directed to be substituted in Cr. Misc. No.20444 of 2023.

6.It is made clear that the petitioners of Cr. Misc No.36313 of 2022 and Cr. Misc. No.20444 of 2023 must file affidavit before the District Court at the time of their surrender in respect of the above information given before this Court orally. In case of failure, the order should loose its force.

7. It is made clear that learned counsel appearing on behalf of the petitioners must be more careful while order is being dictated, as the two separate bail applications were heard



and the order was passed in open court on the same day.

8. The modification applications are accordingly disposed of.

(Purnendu Singh, J)

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