

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34257 of 2024

In
CRIMINAL MISCELLANEOUS No.63607 of 2023

Arising Out of PS. Case No.-101 Year-2023 Thana- AMDABAD District- Katihar

1. Md. Bogdad @ Sk. Bogdad @ Bagdad, Son of Sk. Mansur, Resident of Village- Paharpur, PS- Amdabad, Dist- Katihar.
2. Sk. Afsar, Son of Late Sk. Islam, Resident of Village- Paharpur, PS- Amdabad, Dist- Katihar.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 17-05-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. This is an application seeking modification of the order dated 18.10.2023 passed in Cr. Misc. No. 63607 of 2023 whereby and whereunder the present petitioners who were petitioner no. 1 and petitioner no. 3 in Cr. Misc. No. 63607 of 2023 were granted privilege of pre-arrest bail in connection with Amdabad P.S. Case No. 101 of 2023 registered for the offences punishable under Sections 341, 323, 324, 307, 379, 354, 447, 504 and 506/34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that in terms of the said order, these petitioners had to surrender within



a period of six weeks from the date of the order but because these petitioners were working outside the State of Bihar for their livelihood and they are poor persons, they could not come back to their own place and as a result thereof, they failed to surrender in the court below within six weeks from the date of the order.

4. Learned counsel submits that there is no deliberate or intentional omission on the part of the petitioners, hence, they will be given an opportunity to surrender and submit bail bonds in terms of the order of this Court passed on 18.10.2023.

5. Mr. Umanath Mishra, learned APP for the State is present. There is no opposition to this application.

6. Having regard to the submissions noted hereinabove, this Court directs that if the petitioners surrender within a period of two weeks from today, they would be given the benefit of the order dated 18.10.2023 passed in Cr. Misc. No. 63607 of 2023.

7. Rest of the order shall remain intact.

8. This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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