

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45563 of 2024

In
CRIMINAL MISCELLANEOUS No.16223 of 2024

Arising Out of PS. Case No.-118 Year-2022 Thana- BANDHUWA KURAWA District- Banka

1. NIKESH KUMAR @ NIKESH KR. YADAV SON OF PRADEEP YADAV VILLAGE- TIWARICHAK, POLICE STATION -BANDHUWA KURABA, DISTRICT-BANKA
2. CHANDRA MOHAN YADAV SON OF LATE KALESHWAR YADAV VILLAGE- TIWARICHAK, POLICE STATION -BANDHUWA KURABA, DISTRICT-BANKA
3. PRADEEP YADAV SON OF LATE KALESHWAR YADAV VILLAGE- TIWARICHAK, POLICE STATION -BANDHUWA KURABA, DISTRICT-BANKA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 23-08-2024 Heard the parties.

2. The present application is preferred for modification of the order dated 14.03.2024.

3. On 14.03.2024, this Court had granted relief to the petitioner nos. 2 and 3 namely, Chandra Mohan Yadav and Pradeep Yadav and one of the clause was that one of the bailor should be the family member of the petitioner nos. 2 and 3.

4. The period for surrender was four weeks but three months later, this petition has been filed stating that the lady is of very old age and unable to move and as such, beside family members, relative may be added.



5. Learned APP for the State opposes the prayer submitting that four weeks time granted and they should have moved for modification within that period.

6. This Court finds force in the submission of the learned APP. However, as the relief was granted, deprecating the delay in coming to the Court, the order dated 14.03.2024 in Cr. Misc No. 16223 of 2024 is modified to the following extent subject to payment of Rs. 1,000/- to the Patna High Court Legal Services Committee:

“(i) one of the bailor should be the family members/relative of the petitioner nos. 2 and 3 namely, Chandra Mohan Yadav and Pradeep Yadav respectively, who shall provide their official document to show their bona fide;”

7. Further, the period of surrender is extended to four weeks from today.

8. The present petition stands allowed.

(Rajiv Roy, J)

Adnan/-

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