

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50104 of 2024

In
CRIMINAL MISCELLANEOUS No.68823 of 2023

Arising Out of PS. Case No.-502 Year-2023 Thana- TURKAULIYA District- East
Champaran

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1. Umesh Mukhiya Son Of Ram Chander Mukhiya @ Chander Mukhiya Village- Chailaha, Bind Toli, Ward No. 4, Ps- Banjaria, Dist- East Champaran
 2. Jaggu Mukhiya Son Of Ram Chander Mukhiya @ Chander Mukhiya Village- Chailaha, Bind Toli, Ward No. 4, Ps- Banjaria, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate
For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 12-07-2024 Heard the learned counsel for the petitioners and
learned APP for the State.

2. This modification application has been filed for extension of time to surrender the petitioner no. 1, namely, Umesh Mukhiya before the court below in term of the order dated 08.11.2023 passed by this Court in Criminal Miscellaneous No. 68823 of 2023.

3. Learned counsel for the petitioners submits that *vide* order dated 08.11.2023, petitioners were granted bail and six weeks' time was granted to the petitioners to surrender before the lower court. Learned counsel for the petitioners further submits



that as per the direction given in order dated 08.11.2023, the petitioner no. 2, namely Jaggu Mukhiya surrendered in the court below within the time fixed and furnished bail bonds. But at that time, the petitioner no. 1, namely, Umesh Mukhiya had gone Delhi to earn his livelihood and the counsel of the petitioner in the court below could not communicated the message to petitioner no. 1 because he has no any mobile number to communicate the message to him. As such, learned counsel for the petitioners prays for extension of time to surrender the petitioner no. 1 before the lower court.

4. Considering the aforesaid facts and circumstances and averments made in the application, this modification application is allowed.

5. Four weeks’ further time from today is granted to the petitioner no. 1, namely, Umesh Mukhiya to surrender before the court below in terms of the order dated 08.11.2023 passed in Criminal Miscellaneous No. 68823 of 2023.

6. The order dated 08.11.2023 passed in Criminal Miscellaneous No. 68823 of 2023 stands modified to the aforesaid extent.

(Khatim Reza, J)

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