

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46963 of 2024

In
CRIMINAL MISCELLANEOUS No.35021 of 2024

Arising Out of PS. Case No.-31 Year-2024 Thana- RAHUI District- Nalanda

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1. Brijnandan Yadav @ Brijnandan Gope @ Bijendra Yadav Son Of Rampadarath Yadav @ Rampadarath Gope Resident Of Village- Nijoy Police Station- Rahui District -Nalanda
 2. Sanjay Yadav @ Sanju Yadav Son Of Rampadarath Yadav @ Rampadarath Gope Resident Of Village- Nijoy Police Station- Rahui District -Nalanda
 3. Kush Yadav Son Of Rampadarath Yadav @ Rampadarath Gope Resident Of Village- Nijoy Police Station- Rahui District -Nalanda
 4. Kundan Yadav @ Kundan Kumar Son Of Sanjay Yadav @ Sanju Yadav Resident Of Village- Nijoy Police Station- Rahui District -Nalanda
 5. Lorik Yadav Son Of Mohan Yadav @ Mohan Gop Resident Of Village- Nijoy Police Station- Rahui District -Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate
For the Opposite Party/s : Mr. Ram Sumiran Rai, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 28-06-2024 Mr. Nilendu Kumar Choudhary, learned counsel for the petitioner filed the present application seeking modification of the order dated 30.05.2024 passed in Criminal Misc. No. 35021 of 2024 to the extent that the petitioner no. 1 and 5 may be permitted to withdraw their prayer for bail as on the date of passing of the order granting bail they were already in custody but on account of communication gap, the learned counsel for the petitioner could not apprise this Court that they have already



been taken into custody before passing of the order.

2. The petitioners also seek unqualified apology for the inconvenience caused. It is also stated on oath that because of the latches on the part of the family members, subsequent event of the arrest of the petitioner no. 1 and 5 could not be communicated to the counsel and thus the mistake has occurred.

3. Learned counsel for the State is present.

4. In view of the submissions made across the Bar and taking lenient view in the matter, the modification application stands allowed subject to payment of Rs. 5,000/- to the Patna High Court Legal Services Authority.

5. Let the order dated 30.05.2024 be confined to the petitioners no. 2, 3 and 4 and accordingly stands modified to the extent indicated hereinabove. The name of the petitioner no. 1 and 5 be expunged from the order dated 30.05.2024.

(Harish Kumar, J)

supratim/-

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