

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53847 of 2024

In
CRIMINAL MISCELLANEOUS No.20771 of 2024

Arising Out of PS. Case No.-309 Year-2023 Thana- PIRBAHOR District- Patna

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1. Sunny Raj @ Sunny Son of Arun Prasad Resident of Mohalla - Dariyapur, Chik Toli Gali, Kutubuddin Lane, P.S.- Pirbahore, Distt.- Patna
 2. Naushad Alam @ Gunna Son of Md. Ahamad Hussan Resident of Mohalla - Dariyapur, Chik Toli Gali, Kutubuddin Lane, P.S.- Pirbahore, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 02-08-2024 The present petition has been filed for modification of order dated 02.04.2024 passed in Cr. Misc. No. 20771 of 2024, whereby and whereunder the petitioners have been granted anticipatory bail subject to condition that in the event of their arrest/surrender within six weeks, they would be enlarged on anticipatory bail with other further condition.

2. Learned counsel for the petitioners submits that the petitioner no. 1 became seriously ill and he was hospitalized from 01.05.2024 to 11.05.2024. Due to illness of petitioner no. 1, petitioner no. 2 also could not surrender before the learned trial court within the stipulated time period.



3. However, learned counsel for the petitioners has no answer as to what petitioners had been doing from the passing of the order dated 02.04.2024 till 30.04.2024. It is also beyond comprehension that why petitioner no. 2 did not appear before the learned trial court during the period of six weeks as there is no claim that petitioner no. 2 is family member of petitioner no. 1 and has been looking after him. Therefore, the excuses made on behalf of the petitioners are not tenable.

3. However, considering the fact that the petitioners have been granted anticipatory bail, the order dated 02.04.2024 is modified granting further time of four weeks to the petitioners to surrender before the learned trial court subject to payment of Rs.25,000/- by each petitioner in the Patna High Court Legal Services Committee.

5. Accordingly, the present petition stands disposed of.

(Arun Kumar Jha, J)

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