

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2416 of 2024

In
CRIMINAL MISCELLANEOUS No.33005 of 2023

Arising Out of PS. Case No.-550 Year-2021 Thana- GHOSI District- Jehanabad

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Suraj Kumar S/O Bachesh Yadav VILLAGE- GARAI BIGAHA, PS.
GHOSHI, DIST. JEHANABAD.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Yogendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

3 02-02-2024 1. Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The learned counsel for the petitioner submits that
petitioner had earlier moved seeking anticipatory bail by filing
Cr. Misc. No.33005 of 2023 and the said criminal miscellaneous
was allowed by order dated 01.08.2023 with a condition that the
petitioner shall surrender before the learned trial court within a
period of six weeks.

3. The learned counsel next submits that in
compliance of the order dated 01.08.2023 the petitioner
surrender on 05.09.2023 before the learned trial court as would



be evident from the order dated 05.09.2023 passed by the learned Chief Judicial Magistrate.

4. It is next submitted that the learned Chief Judicial Magistrate dismissed the surrender petition as not maintainable as none had appeared on behalf of the petitioner on repeated calls. The learned next submits that though petitioner had filed a surrender petition but then it came to his notice that the name of his father is Bachesh Yadav while inadvertently in Cr. Misc. No.33005 of 2023 the name of the father was recorded as Ramashray Yadav who is grand father of the petitioner.

5. It is thus submitted that since the name of the father of the petitioner in Cr. Misc. No.33005 of 2023 was inadvertently typed as Ramashray Yadav as such the petitioner despite surrendering before the learned trial court on 05.09.2023 did not appear.

6. In view of the submission made by the learned counsel for the petitioner, the order dated 01.08.2023 in Cr. Misc. No.33005 of 2023 is modified to the extent that the name of the father of the petitioner shall be read as Bachesh Yadav instead of Ramashray Yadav. The order dated 01.08.2023 in Cr. Misc. No.33005 of 2023 is modified to the extent indicated above.



7. In the event, if the petitioner surrenders before the learned trial court on or before 13.02.2024 his bail bond shall be accepted on the same term and condition as fixed by order dated 01.08.2023 in in Cr. Misc. No.33005 of 2023.

(Satyavrat Verma, J)

Prakash Narayan

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