

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.344 of 2025

In
CRIMINAL MISCELLANEOUS No.69936 of 2024

Arising Out of PS. Case No.-303 Year-2021 Thana- NAVINAGAR District- Aurangabad

1. Surajmal Prajapati S/O Kuldeep Prajapati Village- Duari, PS- Tandwa, District- Aurangabad
2. Pradeep Yadav S/O Bholi Yadav R/O Vill.- Shikarpur, P.S.- Hariharganj, Dist.- Palamu.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar Pandey, Advocate
For the Opposite Party/s : Mr.Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 17-01-2025 The present application has been filed for
modification of order dated 21.09.2024 passed in Cr. Misc. No.
69936 of 2024 by this Court.

2. While granting anticipatory bail to the petitioners it was directed that in the event of arrest or surrender before the court concerned within a period of eight weeks from the date of order, the petitioners were to be released on bail.

3. Learned counsel for the petitioners submits that due to mental illness of brother of petitioner no. 2, the petitioners could not surrender within the stipulated period. Learned counsel referred to Annexure-P/2 to show that brother of petitioner no. 2 has been referred for C.T. Scan of brain.



4. Perusal of said document does not show how the petitioner no. 2 is related to the patient as no other document has been filed showing relationship of petitioner no. 2 with the patient of Annexure-P/2. Moreover, if one of the brothers of petitioner no. 2 was mentally ill, it could not be presumed that only the petitioner no. 2 could have attended his brother and no other family member was available to attend his brother.

5. However, apart from the above submission, learned counsel prays for taking lenient view in the matter.

6. In the light of submission of learned counsel for the petitioners, order dated 21.09.2024 is modified and further time of eight weeks is granted to the petitioners for surrender before the learned court below subject to payment of cost of Rs.5,000/- to be deposited in the coffers of Patna High Court Legal Services Committee within a week from today.

7. Accordingly, the present petition stands disposed of.

(Arun Kumar Jha, J)

DKS/-

U		T	
---	--	---	--

