

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50015 of 2026

In
CRIMINAL APPEAL (SJ) No.203 of 2026

Arising Out of PS. Case No.-311 Year-2021 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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1. Janak Kishore Pradhan @ Jan Kishore S/O Late Rambriksh Pradhan Resident of Village and P.S.- Chakmehsi, District- Samastipur.
 2. Mukesh Pradhan S/O Late Om Prakash Pradhan Resident of Village and P.S.- Chakmehsi, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pramila Devi W/O Ashok Kumar Mahto R/O Ward No. 05, Village and P.S.- Chakmehsi, Distt.- Samastipur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Thakur
For the Opposite Party/s : Mr.Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-07-2026 1. Heard learned counsel for the appellants and
learned Special Public Prosecutor for the State.

2. Learned counsel appearing on behalf of the appellants submits that appellants along with three other accused had moved this Court seeking anticipatory bail by filing Criminal Appeal (SJ) No. 203 of 2026, it is also submitted that Criminal Appeal (SJ) No. 203 of 2026 was allowed by an order dated 17.06.2026 with a direction to the appellants to appear before the learned Trial Court on 02.07.2026 and the learned Trial Court was directed to dispose of their cases on the same



day. It is next submitted that out of five appellants in Criminal Appeal (SJ) No. 203 of 2026 only three appellants could appear before the learned Trial Court on 02.07.2026 and were granted bail on the same day, but the instant appellants of the modification application could not appear before the learned Trial Court on 02.07.2026 for the reason that appellant no. 2, herein, Mukesh Pradhan was operated for brain tumor at AIIMS, New Delhi, in the modification application also it is pleaded that appellant no. 2 was under treatment at AIIMS.

3. Learned Special Public Prosecutor for the State submits that though modification application has been filed seeking extension of time for surrender but then no documentary evidence is not on record with regard to brain tumor operation of the appellant no. 2, it is also submitted that the appellants will have to bring on record on affidavit the date on which appellant no. 2 was admitted at AIIMS, the date on which he was operated and the date on which he was discharged.

4. On query of the Court from the learned counsel appearing on behalf of the appellants that as to why appellant no. 1 did not surrender on time, on which it is submitted that appellant no. 1 is uncle of the appellant no. 2 and appellant no. 2



does not have a father, as such appellant no. 1 was with appellant no. 2 at AIIMS as an attendant. Learned counsel appearing on behalf of the appellants next submits that he may be permitted to withdraw the instant modification application with liberty to file a fresh anticipatory bail application on behalf of the instant appellants seeking on the grounds raised in the instant modification application along with all the relevant documents.

5. Permission is accorded.

6. Accordingly, the modification application is dismissed.

(Satyavrat Verma, J)

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