

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.431 of 2026

In
CRIMINAL MISCELLANEOUS No.39621 of 2025

Arising Out of PS. Case No.-130 Year-2025 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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1. Parmila Devi Wife of Suresh Mahto Resident of Village- Rahimpur Rudauli, P.S.- Samastipur Muffasil, District- Samastipur
 2. Suresh Mahato Son of Late Rajendra Mahto Resident of Village- Rahimpur Rudauri, P.S.- Samastipur Muffasil, District- Samastipur
 3. Rahul Kumar Son of Suresh Mahto Resident of Village- Rahimpur Rudauli, P.S.- Samastipur Muffasil, District- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vinod Kumar Bishundeo Rai Resident of Village- Rahimpur Rudauli, P.S.- Samastipur Muffasil, District- Samastipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhay Shanker Singh, Advocate Mr. Barun Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Abhay Kumar, APP Mr. Kundan Kumar, Advocate Mr. Anshuman Dheer, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 16-01-2026 Heard learned counsel for the parties.

2. The instant application has been filed praying for modification of the order dated 15.10.2025 passed in Cr. Misc. no.39621 of 2025 granting bail to the petitioner in connection with Samastipur Muffasil P.S. Case no.130 of 2025 and for extending the time granted therein for the petitioner to surrender in the learned Court below.

3. It is submitted by learned counsel for the petitioner



that the time granted vide order dated 15.10.2025 having expired on 12.11.2025, the petitioners could not surrender in the learned Court below for the reasons as mentioned in the petition filed. As such the instant application was filed soon thereafter on 28.11.2025. It is further submitted that the Courts also being closed for the period of two weeks in the month of November, 2025, the *bonafides* of the petitioners can be judged from the promptness on which the instant application for extension of time has been filed.

4. The application is opposed by learned APP for the State and learned counsel appearing for the opposite party no.2. Learned counsel for the opposite party no.2 submits that the petitioners have been pursuing false cases and getting them registered against the opposite party no.2. The reasons mentioned in the petition and especially in paragraph no.2 is neither justified nor supported with any supporting documents. It is submitted that even if the Court is inclined to allow the instant application, the same be allowed with heavy cost.

5. Having heard learned counsel for the parties and having perused the contents of the petition, the prayer made in the instant application is allowed.

6. The order dated 15.10.2025 passed in Cr. Misc.



no.39621 of 2025 is modified to the extent that the time granted to the petitioners to surrender in the learned Court below is extended by a further period of four weeks from today. The remaining part of the order dated 15.10.2025 passed in Cr. Misc. no.39621 of 2025 shall remain unchanged.

7. The application stands allowed to the above extent.

(Partha Sarthy, J)

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