

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11615 of 2013

Arising Out of PS.Case No. -306 Year- 2010 Thana -SHEKHPURA District- -

- =====
1. Shiv Dharhi @ Shiv Ram, S/o Late Somar Dharhi, Resident Of Village-Kamasi, P.S. and District- Sheikhpura.
 2. Savita Devi @ Sarita Devi, W/o Shiv Dharhi, Resident Of Village-Kamasi, P.S. and District- Sheikhpura.
 3. Disco Dhrhi @ Disco Ram, S/o Shiv Dharhi, Resident Of Village-Kamasi, P.S. and District- Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr. Jitendra Kumar Singh 1 (App)

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO

ORAL ORDER

3 14-05-2015 Heard learned counsel for the petitioners.

This criminal miscellaneous application has been filed under Section 482 Cr.P.C. for quashing the order dated 15.12.2012 passed in Cr. Miscellaneous No.11 of 2012 by learned A.D.J., Sheikhpura whereby the court below rejected the application filed by the petitioners for extension of period for surrendering before the trial court.

The learned counsel for the petitioners submitted that the petitioners were granted anticipatory bail and were directed to surrender before the court below within three weeks from the date of order but they did not surrender and subsequently they filed the

application for extension, which has been rejected. The learned counsel further submitted that because of the fact that the petitioners are illiterate rustic villagers, they were not knowing the fact that they had to surrender before the court below according to the direction granted by the Court and they thought that they were granted bail and, therefore, they did not surrender. The petitioners undertake to surrender within two weeks from today before the trial court.

In view of the submission of the learned counsel for the petitioners, the impugned order is quashed and the time granting the petitioners to surrender before the trial court is hereby extended to further two weeks from today. The petitioners are directed to surrender before the court below and furnish the bail bonds as directed in the anticipatory bail application. Accordingly, this application is allowed.

(Mungeshwar Sahoo, J)

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