

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52 of 2015

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Ramesh Mohan Dutta, son of late Ram Mohan Dutta, Petitioner

Versus

The State of Bihar Opposite Party

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Appearance:

For the Petitioner : Mr. Nand Kishore Prasad Sinha, Advocate

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 06-05-2015 Heard learned counsel for the petitioner and learned
APP for the State.

2. The present petition has been filed for modification
of the order dated 26.02.2013 passed in Cr. Misc. No.8148 of
2013 for extension of time for surrender and furnishing bail bond.

3. It is submitted that the petitioner was suffering from
hernia since 2013 and was medically advised to go for
consultation to Tata Memorial Hospital, Mumbai for suspected
malignancy.

4. This Court however, finds that the order granting
anticipatory bail to the petitioner was passed as far back as on
26.02.2013 when twelve weeks' time was granted for surrender
and furnishing bail bonds. The petitioner appears to have been
examined for his medical problem in terms of prescription dated
18.06.2013 which was well after the expiry of twelve weeks' time

granted for surrender before the Court below. Learned counsel for the petitioner is unable to point out from the said prescription dated 18.06.2013 that any such referral to Tata Memorial Hospital, Mumbai was made. Moreover, the certificate of Tata Memorial Hospital, Mumbai dated 12.08.2013 shows that there was no evidence of dysplasia or malignancy. The modification petition itself has been filed as late as in January, 2015.

5. In the above circumstances, this Court is not satisfied with the reason for delay in surrender and furnishing bail bond by the petitioner.

6. The petition stands dismissed.

(Vikash Jain, J)

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