

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48848 of 2016

=====

Shailendra Yadav @ Laccho Yadav @ Laccho, son of Vidyanand Yadav,
resident of village Lakshminiya, P.S. Pipra, Distt. Supaul.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Nafisuzzoha, Advocate.

For the State : Mr. T.P. Mandal, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 15-12-2016

Heard both sides.

The petitioner filed this petition for modification of the order dated 23.4.2015 passed in Cr. Misc. 40296 of 2014 and for extension of time to surrender the petitioner in the court below in pursuance to the aforesaid order dated 23.4.2015.

Learned counsel for the petitioner submits that the petitioner is a labour. He went outside the village to earn his livelihood and, therefore, he could not surrender in the court below, but it appears from perusal of the records that five persons were granted anticipatory bail vide order dated 23.4.2015 passed in Cr. Misc. 40296 of 2014, and the petitioner did not surrender in the court below for more than one and half years and did not give any plausible reason for not surrendering in court for such a long time.

Considering the facts aforesaid, I do not find any



reason to extend the period to surrender the petitioner in the court below.

Accordingly, the modification petition is dismissed.

However, it is made clear that if the petitioner surrenders in the court below, the learned court below shall consider regular bail of the petitioner taking into consideration that the petitioner was granted anticipatory bail.

(Prabhat Kumar Jha, J)

S.Ali/-

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

