

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30868 of 2016

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1. Vijay Kumar Singh @ Vijay Kr. Singh son of Shree Kishun Singh,
Resident of Village- Mahmmadpur Patti, Police Station, G.B. Nagar,
District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sunil Kumar Sharma, son of Sri Bishwakarma Sharma, Resident of
Village- Nauranga, Police Station- G.B. Nagar, District- Siwan.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghav Prasad

For the Opposite Party/s : Mr. Smt. Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 14-09-2016 Heard both sides.

The petitioner filed this petition for modification of the order dated 13.02.2012 passed in Cr. Misc. No. 23489/2011 and prayed to extend the period of surrender of the petitioner within six weeks from today. The petitioner was granted anticipatory bail vide order dated 13.02.2012 passed in Cr. Misc. No. 23489/2011 in which he had undertaken that he would pay 50% of Rs. 85,000/- within a period of four weeks and the petitioner further undertook to pay the remaining amount within three months from the date of the order i.e. 13.02.2012.

It is submitted that the petitioner could not arrange the money and therefore, he has not deposited the same. Petitioner has

now arranged the amount and wants to deposit the same, therefore, the period of surrender of the petitioner be extended for six weeks from today.

It appears that the order was passed on 13.02.2012 and the petitioner had undertaken to deposit the entire amount i.e. Rs. 85,000/- within three months from the date of the order, but the petitioner did not deposit the amount and after more than four years, the petitioner has filed this petition on 23.07.2016 for extension of period of surrender in the court below. I do not find any reason to extend the period of surrender as the petitioner has grossly misused and defaulted to make payment of amount as had undertaken by himself and filed the petition for modification only after four and half years.

Considering the facts aforesaid, the modification petition is dismissed.

(Prabhat Kumar Jha, J.)

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