

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.36140 of 2016

Arising Out of PS.Case No. -null Year- null Thana -null District- WESTCHAMPARAN(BETTIAH)

Rakesh Kumar Yadav S/o Bindeshwar Rai resident of Village-Hariwatika Chowk, P.S.- Bettiah Muffasil, District- West Champaran

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance:

For the Petitioner : Mr. Sanjeev Kumar, Advocate

For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 07-09-2016

Heard learned counsel for the petitioner and learned APP for the State.

2. The present application has been filed for grant of extension of time for surrender and furnishing bail bond by modification of order dated 26.11.2014 passed in Cr. Misc. No. 49649 of 2013, in terms of which the petitioner had been granted anticipatory bail.

3. Learned counsel for the petitioner submits that the petitioner was unable to surrender and furnish bail bonds within the stipulated time as he had been met with a road accident, as a result of which he suffered 45% disability.

4. A perusal of the certificate dated 05.01.2015 issued by Dr. Kavi Kumar Nirmal (Annexure-2) further discloses that the petitioner was fit to resume the work at that time itself, but the modification petition has been filed after more than one and half years thereafter without adequate explanation.

5. In these circumstances, this Court is not inclined to grant the relief sought. The modification petition stands dismissed.

6. If the petitioners surrenders and seeks regular bail before the learned trial Court the same shall be considered on its own merit in accordance with law and without being prejudiced by any observation in the present order.

(Vikash Jain, J)

Chandran/lbrar

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CAV DATE	N,A,
Uploading Date	
Transmission Date	N,A,