

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36141 of 2016

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Abdullah, Son of Late Sikandar, Resident of Village – Kochgama, Police Station – Birpur, District – Supaul.

.... Petitioner

Versus

1. The State of Bihar
2. Majrul Haque, Son of Abdul Alim, Resident of Village – Kochgama, Police Station – Birpur, District – Supaul.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Md. Hussain, Advocate.

For the Opposite Parties : Mr. Pawan Kumar Chaurasiya, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 07-12-2016 Heard both sides.

The petitioner filed this petition for modification of the order dated 31.03.2015 passed in Cr. Misc. No. 40750 of 2014 to extend the period of his surrender in the court below. The petitioner was granted anticipatory bail vide order dated 31.03.2015 and he was directed to surrender in the court below within four weeks but the petitioner did not surrender for about 1½ years and filed this modification petition only on 20.08.2016.

Learned counsel for the petitioner submits that the petitioner was suffering from infective Hepatitis but it does not appear that the petitioner was unable to go. The certificate, itself, appears to be not genuine, because on the date on which he was granted bail the petitioner was admitted in the hospital. The certificate shows that the petitioner was admitted in the hospital on



31.03.2015 and he was discharged from the hospital on 31.07.2015 even, thereafter, the petitioner did not surrender in the court below for about one year, nor filed any petition for extension of time of his surrender.

Considering the facts aforesaid, I do not find any plausible reason to extend the period of surrender to such a person who is very lax and casual.

Accordingly, the modification petition is dismissed.

(Prabhat Kumar Jha, J.)

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