

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37284 of 2016

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Md. Sarfraj Hussain, S/o Sajjad Hussain, resident of Gandhi Path, P.S.-
Saharsa Nagar, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar
2. Saba Kaiser D/o Md. Fakhrej Alam resident of Village- Pokharia Ward
No.39, P.S.- Nagar, District- Begusarai.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Ram Priya Saran Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 08-09-2016

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

This application is for modification of order
dated 11.02.2016, passed in Cr. Misc. No. 32070 of 2014 by
which petitioner was directed to surrender within a period of four
weeks of the receipt of the said order. He submits that petitioner
left India for Libiya for his Doctorate degree on 08.10.2015 and
has returned back to India on 07.08.2016, as such, he could not
avail the privilege. He further submits that the condition of deposit
of Rs. 1500/- per month within 15th of every month from the date
of the order has been complied with as he has deposited a sum of
Rs. 1500/- per month, although on one occasion there was some
delay but the said sum is being deposited month to month, latest

being deposited on 09.08.2016, which is Annexure-3 series to this petition.

As the petitioner has fulfilled the condition of deposit of Rs. 1500/- per month, let the period of surrender be extended for further period of four weeks from today in connection with Complaint Case No. 1020(C)/ 2013, pending in the court of learned Sub-Divisional Judicial Magistrate, Begusarai.

Modification application is allowed to the extent aforesaid.

(Nilu Agrawal, J.)

Rajesh/-

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