

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48665 of 2016

In
Criminal Miscellaneous No.38427 of 2014

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Leela Devi Wife of Ram Birksh Paswan, Resident of Mohalla- Allalpatti,
P.S. Laherisarai, District Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Iqbal Asif Niazi, Adv.

For the Opposite Party/s : Mr. Umanath Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 23-11-2016

Heard.

The petitioner was granted anticipatory bail in a criminal prosecution registered under Sections 364, 458 and some other allied offences under the Indian Penal Code as also under Sections 25(1-B) (a)/26/35 of the Arms Act by order dated 27.3.2015 passed in Cr. Misc. No. 38427 of 2014 and it was directed that in the event of her arrest or surrender in the court below within a period of four weeks from the date of order, she will be released on bail in terms of aforesaid order dated 27.3.2015. However, despite the aforesaid order dated 27.3.2015, she did not appear in the court below and did not furnish the bail bonds for unusually long time.

After more than 1 ½ years, she has filed the present application on 9.11.2016 seeking modification of the aforesaid order dated 27.3.2015 by extending the period of surrender in the court below. In the whole petition, no explanation has been furnished as to why despite order passed by this Court, she did not

surrender in the court below and did not furnish bail bond within the time prescribed.

The learned counsel appearing on behalf of the petitioner submits that she is a lady and only on that ground the order should be modified. Despite repeated queries, he has not been able to explain the conduct of the petitioner, not respecting the order passed by this Court.

It appears that the petitioner is under an impression that as per her own whims she can appear before the court of law at any time, as per her own convenience, and she will get an order in her favour. She is completely mistaken or is ill-advised by her counsel.

The present application seems to be completely misconceived and is accordingly dismissed. Now, the petitioner must surrender in the court below and apply for regular bail, which shall be considered in accordance with law on its own merit.

(Birendra Prasad Verma, J)

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