

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.967 of 2016**

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1. Shambhu Kumar Suman @ Shambhu Yadav Son of Sri Bhumi Prasad Yadav @ Bhuneshwari Prasad Yadav @ Bholi Yadav, resident of village Arraha, P.S.- Saur Bazar, District- Saharsa.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Ms. Usha Kumari Singh

For the Opposite Party/s : Mr. Pramod Kumar Pandey(App)

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**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA**  
**ORAL ORDER**

2      13-01-2016      The present modification application has been filed by the petitioner seeking extension of time for surrender in the court below. However, he submits that the petitioner has already surrendered within the time prescribed and therefore such modification is not required at the moment.

He further submits that he may be exempted from appearing in the court below on each and every day as he is a constable in C.R.P.F. and he has to move along with his battalion in which he is posted.

He further submits that he shall appear on the date so fixed by the Hon'ble Court and on such date being fixed he shall take proper leave from his Commandant and present himself during the trial.

Considering the facts that the petitioner is functioning and performing his duties in disciplined force and has been presently transferred to Bhanjannagar in the district Ganjam (Orissa).

This court modifies the order dated 01.12.2015 to the extent that the petitioner shall present himself on the date fixed by the Court in the trial as and when required by taking due permission from his Commandant with afore-mentioned modification this stand is disposed of.

**(Anjana Mishra, J.)**

Vinita/-

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