

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3847 of 2016

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Md. Mustaque, Son of Md. Bashin Resident of Village Dakahi, P.S. Andhramath, District Madhubani.

.... Petitioner

Versus

1. The State of Bihar
2. Samina khatoon, Wife of Md. Mustaque , daughter of Md. Gafur, Resident of Village Dakahi, P.S. Andhramath, District Madhubani.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Md. Aslam Ansari(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 18-05-2016 Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner filed this petition for modification of the order dated 07.05.2015. The petitioner was granted anticipatory bail vide order dated 07.05.2015 passed in Cr. Misc. No.13712 of 2015, but the petitioner could not surrender before the court below within four weeks. It appears that the petitioner filed Cr. Misc. No.43103 of 2015 for extension of the period of his surrender in the court below on the ground of illness, but no medical certificate was annexed and consequently, Cr. Misc. No.43103 of 2015 was dismissed vide order dated 23.09.2015. Again the petitioner filed this petition for extension of the period of his surrender before the court below in pursuance of the order

dated 07.05.2015 passed in Cr. Misc. No.13712 of 2015 with a medical certificate. It appears that the petitioner did not surrender in the court below for more than five months from the date of the order dated 07.05.2015, thereafter, filed petition for extension vide Cr. Misc. No.43103 of 2015 without medical certificate. I do not find any reason to extend the period of surrender of the petitioner on such false ground.

Accordingly, petition for extension of time is dismissed.

(Prabhat Kumar Jha, J)

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