

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17840 of 2016

- =====
1. Bibi Mobina wife of Wasim
 2. Masina, Daughter of Wasim
 3. Laliya Khatoon, wife of Sajjad
 4. Juhi Khatoon, wife of Azad, All residents of village- Jave, P.S.-
Bhawanipur, District- Purnea

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr. Satyendra Narayan Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 04-05-2016

Heard the parties.

This miscellaneous application has been filed under Section 482 of the Code of Criminal Procedure seeking a modification in the order dated 21.3.2014 passed by this Court in Criminal Misc. No. 272 of 2014 whereby anticipatory bail was granted to the petitioners subject to their arrest or surrender within four weeks from the date of the order, a copy of which is placed at Annexure-1 to the application. The petitioners did not take the benefit of the order and did not surrender within the period prescribed and in the meantime the Investigating Agency submitted final form on 17.5.2014 insofar as the present petitioners are concerned who were not sent up. The Additional Chief Judicial Magistrate, Purnea vide order passed on 07.6.2014 differing with the opinion of the Investigating Agency has taken cognizance against the petitioners as well as the other accused and

which prompted the petitioners to first move the Sessions Judge, Purnea who taking note of the order of this Court in Criminal Misc. No. 272 of 2014 disposed of the bail application as not maintainable. It is thereafter that these petitioners came before this Court in Criminal Misc. No. 1876 of 2016 which was also held not maintainable in view of the order passed in Criminal Misc. No. 272 of 2014 and was accordingly disposed of. It is thereafter that the present case has been filed seeking extension of the period of surrender as provided in the order dated 21.3.2014 passed in Criminal Misc. No. 272 of 2014.

Having heard learned counsel for the parties and for the reasons so discussed hereinabove, I deem it fit and proper to extend the period of surrender as provided in the order dated 21.3.2014 passed in Criminal Misc. No. 272 of 2014 for further four weeks from today with clear stipulation that if the benefit of this period is not availed of by the petitioners to surrender within the period so extended, no further indulgence would be granted.

The order passed in Criminal Misc. No. 272 of 2014 insofar as it prescribes the period of surrender stands modified to the aforementioned extent.

This application is allowed.

(Jyoti Saran, J)

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