

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31426 of 2016

Arising Out of PS.Case No. -167 Year- 2015 Thana -BELA District- SITAMARHI

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1. Anisa Khatoon, wife of Md. Mansoor @ Lal Babu.
 2. Md. Hamid @ Bechan @ Hamid, son of Md. Mansoor @ Lal Babu.
 3. Abdul Qaiyum @ Qayum son of Md. Mansoor @ Lal Babu
 4. Saima Khatoon @ Sahima Khatoon, Wife of Hamid Raza @ Hamid
 5. Parveen Khatoon wife of Abdul Qaiyum
- All residents of village Andauli, P.S.-Parihar (wrongly stated as P.S.- Bela in FIR), District- Sitamarhi.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioner : Mr. Ashhar Mustafa, Advocate.

For the Opposite Party : Mr. Sri Ataur Rahman.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 19-08-2016

Heard both sides.

The petitioners filed this petition under Section 482 of the Cr.P.C. for quashing the order dated 06.04.2016 by which learned Sessions Judge, Sitamarhi refused to extend the period of their surrender in pursuance of the order dated 04.12.2015 passed in ABP No. 1959 of 2015.

Mr. Ashhar Mustafa, learned counsel for the petitioners submits that the petitioners were granted anticipatory bail vide order dated 04.12.2015 in A.B.P. No. 1959 of 2015, but the petitioners had gone out from their house to run their livelihood and therefore they could not surrender in time. The

petitioners filed this petition for extension of period of fresh surrender.

It appears that due to some miscommunication, the petitioners could not surrender in the Court below in time in pursuance of the order dated 04.12.15 passed in A.B.P. No. 1959 of 2015.

This petition is disposed of with a direction to the Court below that the petitioners were granted anticipatory bail on merit and if they surrender within four weeks from today, the learned S.D.J.M. Sadar, Sitamarhi will take lenient view and pass favourable order in favour of the petitioners who are in-laws of the complainant.

(Prabhat Kumar Jha, J)

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