

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26794 of 2016

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Md. Yusuf, Son of Md. Ali Hassan, Resident of village- Panna, P.S.- Arer,
District- Madhubani.

.... Petitioner/s

Versus

1. State of Bihar.
2. Guriya Khatoon, daughter of Late Md. Sakoor, resident of Village-
Katai, P.S.- Madhubani Town, District- Madhubani.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Ram Naresh Roy, APP

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 13-07-2016

This application under Section 482 of the Code of Criminal Procedure has been filed by the petitioner seeking a modification of the order dated 10.4.2015 passed in Criminal Miscellaneous no.45872 of 2014 whereby this Court while issuing notice to the informant, had granted anticipatory bail to the petitioner subject to arrest/surrender within 4 weeks.

Since the petitioner neither furnished the notices as directed that the anticipatory bail application got dismissed against the opposite party no.2. The petitioner also did not chose to surrender within the period stipulated. A restoration application was filed bearing Criminal Miscellaneous No.595 of 2016 and which was allowed vide order passed on 27.1.2016 restoring Criminal Miscellaneous No.45872 of 2014 as against opposite party no.2 and since the requisite had been filed by the petitioner in the meanwhile that fresh notice was issued. The

modification application filed by the petitioner seeking extension of a period of surrender was directed to be put up later on. In between the fresh notice has again been issued to the opposite party no.2 on 4.5.2016 fixing 12.7.2016 as date of return but there is no report in this regard.

Mr. Gagandeo Yadav, learned counsel for the petitioner presses the present application seeking extension of the date of surrender in the backdrop discussed hereinabove.

Having heard learned counsel for the parties and in the circumstances discussed above, the period of surrender as mentioned in the order dated 10.4.2015 passed in Criminal Miscellaneous No.45872 of 2014 is extended by further four weeks from today with a clear stipulation that no further extension shall be granted.

The order dated 10.4.2015 passed in Criminal Miscellaneous No.45872 of 2014 stands modified to the aforementioned extent.

This criminal miscellaneous application is allowed.

Let Criminal Miscellaneous No.45872 of 2014 be listed along with service report.

(Jyoti Saran, J)

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