

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3148 of 2017

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Reshmi Devi, Wife of Pakauri Sah @ Pakaru Saw, resident of Village Charghara,
P.S. Chandramandih, District- Jamui.

... 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.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 15-03-2017

Heard learned counsel for the parties.

The present application seeks modification of order dated 17.10.2016 passed in Cr. Misc. No. 44088 of 2016 by which the prayer for anticipatory bail to the petitioner had been rejected with the observation that if she surrenders before the Court below within one month, her application for regular bail shall be considered on its own merits, in accordance with law, without being prejudiced by the present order.

Learned counsel for the petitioner submitted that because she was pregnant, she could not surrender within one month.

The Court finds the present petition to be misconceived.



The right of an accused to surrender and seek regular bail is not required to be granted by any Court including this Court. The observation that if the petitioner surrenders and seeks regular bail within one month cannot change the legal position as it is for the accused to surrender and seek regular bail as a matter of right.

With the aforesaid observations, the present application stands disposed off.

(Ahsanuddin Amanullah, J)

Anjani/-

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