

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45276 of 2016

Arising Out of PS.Case No. -192 Year- 2014 Thana -BUXAR COMPLAINT CASE District-
BUXAR

- =====
1. Sanjay Singh son of Shatrughan Singh
 2. Smt. Sandhna Singh wife of Sri Sanjay Singh
 3. Shyam Mohan Singh son of Late Shatrughan Singh

All are resident of Mohalla- Subhas Nagar, Mugalsarai (besides Mewalal Sabhasad), P.S.-Mugalsarai, District- Chandauli (Utter Pradesh)

.... Petitioner/s

Versus

1. State of Bihar
2. Priyanka Kumari daughter of Brahmdayal Singh wife of Sri Shekhar Singh,
resident of Mohalla- Mathia, Ward No.14, P.S.-Buxar Town, District- Buxar

.... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Singh, Advocate
	:	Mr. Brajesh Tiwary, Advocate
	:	Mr. Parmeshwar Vishwakarma, Advocate
For the State	:	Mr. Tapeswar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date: 02-08-2017

Heard learned counsel for the petitioners and learned
counsel for the State.

2. This application under Section 482 of the Code of Criminal Procedure has been filed by the petitioner for quashing the order dated 03.08.2016 passed in A.B.P. No.617 of 2014 by the learned Session Judge, Buxar whereby he has refused to extend the period granted for furnishing bail bonds before the court below vide order dated 03.03.2015.

3. It is submitted by the learned counsel for the petitioner that by order dated 03.03.2015 passed in A.B.P. No.617 of 2014, the



petitioners were granted pre-arrest bail by the learned Session Judge, Buxar subject to the condition that they would appear before the court of Magistrate within a fortnight and furnish bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to his satisfaction. It is submitted that the petitioners could not surrender in time as they live outside and were not informed by the counsel appearing in the case regarding the period of surrender fixed by the court.

4. It is submitted that the petitioners are ready to furnish the bail bonds to the satisfaction of the court and delay caused in complying with the order was neither wilful nor deliberate.

5. On the other hand, learned counsel for the State has submitted that there is a long delay in approaching the court by the petitioners for extending the period granted for furnishing bail bonds and, thus, no error can be found with the order passed by the learned Session Judge, Buxar.

6. Be that as it may, considering the nature of offence and in the interest of justice, I deem it fit and proper to extend the time granted by the learned Session Judge, Buxar for surrender before the court in order to furnish bail bonds till 7th August, 2017.

7. In case the petitioners surrender before the Sub Divisional Judicial Magistrate, Buxar on or before 7th August, 2017,



they should be released on bail on the same terms and conditions as given in the order dated 03.03.2015 passed in A.B.P. No.617 of 2014 by the learned Session Judge, Buxar. In case the petitioners fail to surrender and furnish bail bonds as directed by the learned Session Judge, Buxar till 7th August, 2017, the court below shall take all coercive steps to ensure their appearance before the court so that they may be put on trial.

8. With the aforesaid observations and directions, the application is disposed of.

(Ashwani Kumar Singh, J)

Md.S./-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	04.08.2017
Transmission Date	04.08.2017

