

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.29403 of 2014

Arising Out of PS.Case No. -23 Year- 2013 Thana -GOVERNMENT OFFICIAL COMP. District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Umakant Prasad S/o Late Chandrika Prasad
 2. Sushil Kumar Gupta S/o Keder Prasad Both are Resident of Village Tanki Bazar, Police Station almiki Nagar, District West Champaran.

.... 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 ARUN KUMAR

ORAL JUDGMENT

Date: 29-06-2017

Heard learned counsel for the parties.

The petitioner has challenged the order dated 25.03.2014 passed by the learned Sessions Judge, West Champaran at Bettiah in A.B.P. No. 988 of 2013 arising out of Official Complaint Case No. 23 of 2013, whereby petition dated 22.03.2014 filed by the petitioners for extending the period for surrender before the court below was rejected.

The sole ground taken by the learned counsel for the petitioners is that as the petitioner no. 1 was bed ridden due to illness and the petitioner no. 2 is his relative and they could not surrender because the earlier order of extension of period for surrender dated 25.02.2014 could not reach to the court below. Learned counsel for the petitioners also draws attention towards Anenxure-3 series, which



is medical prescription of private doctors suggesting 15 days rest to the petitioner no. 1 on 04.02.2014.

It is apparent that no any medical document was filed by the petitioners showing petitioner no. 1 has been critically ill or bed ridden for last three and half years since he was granted bail by the sessions court by order dated 18.01.2014. The impugned order reflects that earlier order dated 25.02.2014 granting extension period of 15 days for surrender reached to the court below also so the grounds taken by the petitioners for subsequent extension of period is without any genuine ground. In fact, the petitioners are still not surrendering to the court below without any valid reason despite anticipatory bail granted to them. Therefore, anticipatory bail granted by the Sessions Judge to the petitioners vide order dated 18.01.2014 is cancelled and petitioners are directed to surrender within 15 days and seek regular bail otherwise the court will take all coercive steps for securing their appearance before the court below in order to face trial.

The petition stands dismissed.

(Arun Kumar, J)

Sujit/-

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