

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50217 of 2018

=====

Md. Fulo, S/o md. Mustakeem, R/o Vill.- Laguniya Raghukanth Tole
Dariyapur, P.S.- Samastipur Muffasil, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Jitendra Kumar, S/o Sri Upendra Rai, R/o Vill.- Kewata, P.S.-
Dalsingsarai, District- Samastipur.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha, Advocate.
For the Opposite Party/s : Smt. Veena Kumari Jaiswal, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 05-09-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

This application has been filed for modification of
the order dated 09.02.2018 passed in Cr. Misc. 26569 of 2017.

Counsel for the petitioner has submitted that vide
order dated 9.2.2018 petitioner was granted anticipatory bail by
this Court with direction to surrender before the court below
within a period of eight weeks from the date of receipt of the order
along with Demand Draft of Rs.96,000/- in the name of the
informant, but petitioner could not surrender in the court below
within stipulated time due to illness of his wife. Subsequently,
period for surrender of the petitioner has been extended by further
four weeks vide order dated 24.05.2018 passed in Cr. Misc. 31857



of 2018.

Counsel for the petitioner has submitted that in compliance of the aforesaid order, Demand Draft of Rs.96,000/- has been prepared and the petitioner has appeared in the court below along with the Demand Draft, but the same was not accepted by the court below as the time granted to the petitioner to surrender in the court below has elapsed. Now, petitioner is ready to surrender in the court below within two weeks from the date of receipt of this order along with Demand Draft of Rs.96,000/-.

In such circumstances, this modification application is allowed to the extent that the time for surrender of the petitioners in the court below is extended for further four weeks from the date of receipt/production of a copy of this order. If the petitioners surrender in the court below along with the Demand Draft in favour of opposite party No. 2, he will be released on same terms and conditions as mentioned in the order dated 09.02.2018 passed in Cr. Misc. 26569 of 2017.

Let this order be communicated to the Court of Additional Chief Judicial Magistrate, Dalsinghsarai, Samastipur, in connection with C.R. Case No. 166 of 2016.

(Sanjay Priya, J)

S.Ali/-

U		T	
---	--	---	--

