

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59484 of 2017

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1. Arvind Kumar, Son of Sajeevan Paswan, resident of Village- Samarkan,
P.S.- Ghoshi, District- Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ram Pratap Tiwary, Son of Late Jagdish Tiwary, resident of Village-
Sonchari, Tola Dariyapur, P.S.- Parwalpur, District- Nalanda at present
residing at Ram Murti Nagar, Hilsa, P.S.- Hilsa, District- Nalanda.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Wasi Ahmad Khan

For the Opposite Party/s : Mr. Smt. Nirmala Kumari

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 24-01-2018 Heard Mr. Bakshi S.R.P.Sinha, learned senior counsel

appearing on behalf of the petitioner and the learned Additional

P.P.

The petitioner filed this petition for modification of
order dated 19.08.2016 passed in Cr. Misc. No.33317 of 2016.
The petitioner filed Cr. Misc. No.33317 of 2016 for quashing the
order dated 18.04.2015 passed in Complaint Case No.305(c) of
2011 by which the learned A.C.J.M., Hilsa cancelled the bail bond
of the petitioner on account of his absence and absence of his
lawyer to cross-examine the prosecution witness and the aforesaid
quashing petition was dismissed on 19.08.2016 with a direction to
the petitioner to surrender in the court below and pray for regular



bail and the learned Court below shall consider the prayer for bail of the petitioner taking into consideration that the petitioner could not appear only on one date but the petitioner did not surrender in the court below within four weeks. The petitioner thereafter filed Cr. Misc. No.16377 of 2017 for modification of the order dated 19.08.2016 passed in Cr. Misc. No.33317 of 2016 for extension of period of his surrender on account of the fact that the petitioner did not surrender due to unavoidable circumstances as the petitioner got fracture injury in his leg but the same modification petition was dismissed. Again after lapse of more than six months, the petitioner filed this petition for modification.

I do not find any reason to modify the period for surrender of the petitioner in the court below. Accordingly, the modification petition is dismissed.

(Prabhat Kumar Jha, J)

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