

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4570 of 2018

=====

1. Surendra Rai,
2. Malu Rai,
3. Mukesh Rai All are Sons of Yogendra Rai,
4. Shiv Rai S/o Surendra Rai, All are R/o Village- Habaspur, P.S.- Shahpur,
District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Usha Kumari Singh

For the Opposite Party/s : Mr. Surendra Prasad Singh

=====

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 31-01-2018 This application has been filed for modification of order dated 16.10.2017 passed in Cr. Misc. No. 42978 of 2017 pending in the Court of A.C.J.M., Danapur, Patna in connection with Shahpur P.S. Case No. 152 of 2011, by which petitioners were granted time to surrender before the Court below within a period of four weeks.

Learned counsel submits that petitioners could not surrender before the Court below due to unavoidable circumstances within the stipulated time and as such, it is prayed that the time granted to surrender be further extended.

Learned A.P.P. appearing on behalf of the State submits that petitioners have been granted sufficient indulgence in



this case, but they did not surrender before the Court below.

It appears that earlier petitioners were granted four weeks' time to surrender on 16.10.2017 vide Cr. Misc. No. 42978 of 2017, but he did not surrender within time. Thereafter, they filed Modification Application before this Court vide Cr. Misc. No. 59738 of 2017, which was allowed vide order dated 13.12.2017 and the time granted for surrender was extended by four weeks. Even thereafter petitioners did not surrender and now, this second Modification Application has been filed on their behalf for extension of time.

Under such circumstances, I do not feel inclined to extend the time granted for surrender. Accordingly, this Modification Application is dismissed.

(Arvind Srivastava, J)

Shailendra/-

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

