

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 60765 of 2017

=====

Mohd. Izhar @ Izhar Ahmad S/o Mubin Resident of Village - Tikra Murtaza, P.S. -
Zaidpur, District - Barabanki (U.P.)

.... Petitioner/s

Versus

The Union of India, through the Director, Directorate of Revenue Intelligence,
Patna.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Ms. Anjuman Praveen, Advocate
For the UOI	:	Mr. Manoj Kr. Singh, CGC

=====

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 14-03-2018

Heard learned counsel for the petitioner and Union of
India.

2. The present application has been filed seeking modification in the order dated 27.04.2015 passed in Cr. Misc. No. 41374 of 2014 by which the Court had granted anticipatory bail to the petitioner in Special Case No. 15 of 2014 dated 21.02.2014 arising out of DRI F. No. DRI/LZU/PRU/718 (ii) ENQ-02/2014 instituted under Sections 21(c)/27(a)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 and directed him to surrender before the court below within six weeks.

3. Learned counsel for the petitioner submitted that soon thereafter on 05.03.2015 the petitioner was arrested in connection with another case and was released on bail on 24.07.2017. It was



submitted that during his incarceration, his father passed away and upon his release his mother also passed away and, thus, he has filed the present case after a few months of his release. Learned counsel submitted that the time fixed for surrendering before the court below could not be complied with as it was beyond the capacity of the petitioner to do so.

4. Learned counsel for the Union of India does not dispute the factual position.

5. Having regard to the aforesaid, the Court finds that sufficient cause has been shown by the petitioner not to have surrendered within the time fixed by the Court in its order dated 27.04.2015 passed in Cr. Misc. No. 41374 of 2014.

6. Accordingly, the application stands allowed. The time granted to the petitioner to surrender before the court below in terms of order dated 27.04.2015 in Cr. Misc. No. 41374 of 2014 stands extended by a further period of three weeks from today. The rest of the terms and conditions of the order dated 27.04.2015 shall remain the same. The petitioner shall co-operate in the trial.

(Ahsanuddin Amanullah, J)

Anjani/-

AFR/NAFR	
U	
T	

