

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19581 of 2018

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Manoj Kumar @ Manoj Kumar Sinha Son of Haribans Lal Das Resident of
Village- Satghara, Simri, P.O. Rajnagar, P.S. Rajnagar, District-
Madhubani.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Singh, Advocate

For the Opposite Party/s : Mr. Nand Kishore Pd, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 04-10-2018

This application under Section 482 of the Code of Criminal Procedure has been filed by the petitioner for modification of the order dated 17.02.2018 passed in Cr. Misc. No. 9344 of 2018 to the extent that time granted by this Court for surrendering before the learned Judicial Magistrate, 1st Class, Khagaria in connection with Khagaria (Gangaur) P. S. Case No. 428 of 2017 be extended for a further period of two weeks.

It is submitted by the learned counsel for the petitioner that after the order dated 17.02.2018, the petitioner, who is Branch Manager in S.B.I., Patna City Katra Branch applied for leave to appear before the court. After the leave was sanctioned, when he went to appear before the court, he came to



know that the court was closed on 29.03.2018 and 30.03.2018 due to Mahabir Jayanti and Good Friday. Since the last date for surrendering before the court of Magistrate was 30.03.2018, he could not appear in time. However, immediately, thereafter, he filed the instant application before this Court on 03.04.2018 for extending the period to surrender before the court below.

Learned counsel for the State does not oppose the prayer made on behalf of the petitioner.

Considering the submissions made above, the prayer is allowed. The order dated 17.02.2018 passed in Cr. Misc. No. 9344 of 2018 is modified to the extent that time granted by this Court for surrendering before the learned Judicial Magistrate, 1st Class, Khagaria in connection with Khagaria (Gangaur) P. S. Case No. 428 of 2017 is extended by further two weeks.

It is made clear that in case the petitioner fails to appear before the court within two weeks, no further modification of the order shall be allowed on any ground.

(Ashwani Kumar Singh, J.)

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