

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.6131 of 2018

Arising Out of PS.Case No. -970 Year- 2011 Thana -WEST CHAMPARAN COMPLAINT District-
WEST CHAMPARAN (BETTIAH)

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Safique Mian, son of Late Sharif Mian, Resident of Mohalla- Khodanagar,
P.O.+P.S.- Motihari, Town, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Hushan Ara, wife of Kaushar Mian, daughter of Arman Mian, Resident of
Village- Majharia, Mahuawa, P.O. and P.S.- Shikarpur, District- West
Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar, Advocate

For the Opposite Party/s : Mr. Arun Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 16-08-2018

This application under Section 482 of Code of Criminal Procedure (for short 'the Cr.P.C') has been filed by the petitioner for quashing of the order dated 20.11.2017 passed by the learned Sessions Judge, Bettiah in Cr. Misc. No. 140 of 2017 by which the learned Sessions Judge has rejected the application of the petitioner filed for extension of period of surrender before the court, vide order dated 28.10.2014 passed in A.B.P. No. 788 of 2014.

2. By order dated 28.10.2014, the petitioner, who is being prosecuted for the offence punishable under section 498A of the Indian penal Code, was granted pre-arrest bail with the condition to furnish bail bond of rupees ten thousand (Rs.10,000/-) with two



sureties of like amount each to the satisfaction of the court of Magistrate within two months. The petitioner failed to appear before the court in time. He filed an application in the month of November, 2017 for extending the period of two months granted by the court below for furnishing bail bond which was rejected by the learned Sessions Judge vide order dated 20.11.2017 passed in Cr. Misc. No. 140 of 2017. The said order dated 20.11.2017 is being challenged in the present application.

3. The petitioner has not given any plausible explanation as to why the order passed by the court whereby he was granted bail with condition to furnish bail bond could not be complied with in time.

4. In my considered opinion, in absence of any valid ground, if the application for modification of the order filed almost three years after grant of bail has been rejected, no interference is warranted by this Court.

5. Accordingly, the application is dismissed.

(Ashwani Kumar Singh, J)

Md.S./-Sanjeev

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	23.08.2018
Transmission Date	23.08.2018

