

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62688 of 2017

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Rani Kumari, Wife of Ramesh Kumar Jha, Daughter of Alok Narayan Jha,
Resident of Village- Pandit Tola, Tabhka, District- Samastipur, presently
residing at Village- Keoth Kothi, Dalsing Sarai, P.S.- Dalsing Sarai,
District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prafull Chandra Jha

For the Opposite Party/s : Mr. Sri Bharat Lal

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 03-01-2018

The present application has been filed for modification of the order dated 25.01.2016 passed in Cr. Misc. No. 2766 of 2016 to the extent of extending the period of surrender.

The factual matrix of the case would unveil that the petitioner was granted anticipatory bail vide order dated 25.01.2016 passed in Cr. Misc. No. 2766 of 2016 in a case registered for the offences punishable under Sections 419, 420, 467 and 468/34 of the Indian Penal Code with condition to surrender and furnish bail bond within a period of twelve weeks. Thereafter, Cr. Misc. No. 43080 of 2017 was preferred for modification of order dated 25.01.2016 passed in Cr. Misc. No.



2766 of 2016 to the extent of extending the period of surrender since the petitioner who is a lady was carrying pregnancy, hence, she could not surrender within the stipulated time and considering the above facts, the order dated 25.01.2016 passed in Cr. Misc. No. 2766 of 2016 was modified and the period of surrender was extended for three weeks from the date of receipt/production of a copy of the order.

The present modification application for extending the period of surrender has been preferred on the ground that after giving birth to a child the petitioner was admitted in hospital and ultimately the child died after three months, hence, the petitioner went into shock and that led to her non-surrender.

Considering the peculiar facts and circumstances of the case, the grounds for non-surrender taken in the modification application and above all the petitioner being a lady, the order dated 25.01.2016 passed in Cr. Misc. No. 2766 of 2016 is modified to the extent that the period of surrender is further extended by two weeks from the date of receipt/production of a copy of this order in connection with Laheriasarai P.S. Case No. 136 of 2013 pending in the court of learned Chief Judicial Magistrate, Darbhanga and other conditions will remain the same.



Accordingly, this modification application is
disposed of.

(Dinesh Kumar Singh, J)

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