

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6971 of 2019

In
Criminal Appeal (SJ) No.2732 of 2017

Arising Out of PS. Case No.-13 Year-2016 Thana- MUFFASIL District- West Champaran

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MUKESH KUMAR @ MUKESH PATEL Son of Lal Babu Patel Resident of
Village - Dharampur, P.S.- Bettiah, Muffasil, District West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Gupta

For the Opposite Party/s : Mr.Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 07-02-2019 By way of present modification, the petitioner seeks to modify the order dated 19.09.2017 passed in Cr. Appeal (SJ) No. 2732 of 2017, by which, the the appeal of the petitioner was disposed of with direction to surrender before the court below within a period of six weeks and pray for regular bail and the court below was directed to dispose of the prayer for bail of the petitioner after considering the fact that earlier final form was submitted against the petitioner.

Learned counsel for the petitioner has submitted that since his mother was suffering from cardiac arrest, he could not surrender within the time as fixed by this Court vide order dated 19.09.2017 and prayed for extension of time for surrender in the court below.



Considering the facts and circumstances, it appears that the order was passed on 19.09.2017 and the present modification application has been filed after lapse of more than one year and four months and the explanation given for not surrendering within the time does not seem to be satisfactory one, as such, I am not inclined to interfere with the order dated 19.09.2017 passed in Cr. Appeal (SJ) No. 2732 of 2017.

This modification application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

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