

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47827 of 2019

In
CRIMINAL MISCELLANEOUS No.11084 of 2018

Arising Out of PS. Case No.-381 Year-2015 Thana- KISHANGANJ District- Kishanganj

1. SUJIT KUMAR GHOSH, Son of Sapan Kumar Ghosh,
2. Sarwasti Gosh @ Saraswati Ghosh, wife of Sapan Kumar Ghosh, both resident of Village - Dallegaon 78/12, A/C, Exhibition Road, P.S.- Behrampur, District- Murshidabad (W.B)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Minhaz Alam, Son of Abdul Matin, R/O - Salempur, Bazar Gaon, P.S.- Balrampur, District- Katihar. At present R/O - Old Khagra, P.S. and District- Kishanganj

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Sinha
For the Opposite Party/s : Mr.Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 31-07-2019

This application has been filed for modification of the order dated 02.08.2018 passed in Cr. Misc. No.11084 of 2018 by which petitioners have been granted anticipatory bail in connection with Kishanganj P.S. Case no.381 of 2015 to the satisfaction of the Chief Judicial Magistrate, Kishanganj.

Counsel for the petitioners submits that petitioner No.1 suffered brain haemorrhage and was admitted in hospital for treatment. It is further submitted that this Court has been pleased to earlier extend the period for surrender of the petitioners by order dated 12.12.2018 passed in Cr. Misc.



No.74033 of 2018 and the petitioners were given four weeks' further time to surrender in the Court below, but since the petitioner No.1 was under treatment, petitioners could not surrender.

Counsel for the petitioners has enclosed the certificate of the doctor as Annexure-2 from which it appears that petitioner No.1 was under treatment from 15.12.2018 to 05.03.2019.

In view of such, eight weeks' further time from the date of receipt of copy of this order is granted to the petitioners to surrender before the Court below and, in that event, the Court below will release the petitioners on bail in terms of the order dated 02.08.2018 passed in Cr. Misc. No.11084 of 2018.

It is made clear that no further time will be given.

This Modification Application is, accordingly, **allowed.**

(Sanjay Priya, J)

J. Alam/-

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