

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56265 of 2019

In
CRIMINAL MISCELLANEOUS No.33849 of 2019

Arising Out of PS. Case No.-105 Year-2019 Thana- KOTWALI District- Patna

MD. KHALID RASHID Son of Late Yusuf Ali Resident of Flat No. 102,
GMK Apartment, Samanpura, Behind Paras HMRI Hospital, P.S.- Shastri
Nagar, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Murli Prasad Mandal Son of Sri Shyam Sundar Mandal Resident of
Bhawanipur, P.O. and P.S.- Jagadishpur, District- Bhagalpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Jha
For the Opposite Party/s : Mr.Satyadeo Singh Yadav

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 16-10-2019 Heard.

This application has been filed on behalf of the petitioner for modification of the order dated 15.07.2019 passed in Criminal Misc. No.33849 of 2019 by this Court with regard to extend the period of surrender of the petitioner in the court below.

Learned counsel for the petitioner submits that vide order dated 15.07.2019 passed in Criminal Misc. No.33849 of 2019 by this Court, the petitioner, above named, was directed to be released on bail, in the event of his arrest or surrender before the learned court below within a period of four weeks from the



date of the aforesaid order, on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Patna, in connection with Kotwali P.S. Case No.105 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further condition that the petitioner will handover the draft of Rs.7,50,000/-(Seven Lakhs Fifty thousand) to the informant at the time of furnishing of bail bond and remaining Rs.7,50,000/- (Seven Lakhs Fifty thousand) will be paid by the petitioner to the informant through draft within three months. If the petitioner fails to pay the said amount to the informant within the stipulated time, the court below will be at liberty to cancel the bail bond of the petitioner but, unfortunately, the petitioner, above named, could not surrender before the court below within the time, as granted by this Court by the aforesaid order dated 15.07.2019 passed in Criminal Misc. No.33849 of 2019 and, due to that reason, the petitioner, above named, could not handover the draft of Rs.7,50,000/-(Rupees Seven Lakhs Fifty thousand) to the informant, while the petitioner already got prepared the draft of Rs.7,50,000/- in favour of the informant.

In that view of the matter, learned counsel for the petitioner prays for extension of the period of surrender of the



petitioner before the court below.

Accordingly, let the period of surrender of the petitioner, above named, in the court below in connection with the concerned case be further extended for a further period of six weeks from today.

With the aforesaid modification in the order dated 15.07.2019 passed in Criminal Misc. No.33849 of 2019 by this Court, this application stands disposed of.

(Rajendra Kumar Mishra, J)

P.S./-

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