

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59258 of 2019

In
CRIMINAL MISCELLANEOUS No.11972 of 2018

Arising Out of PS. Case No.-275 Year-2017 Thana- SIRDALA District- Nawada

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Devchand Prasad Son of Ram Keshwar Prasad R/o Village- Koshumbha Tari,
P.S.- Sirdalla, District- Nawada (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Amarendra Prasad

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-09-2019 The present petition has been filed to modify the order passed by this Court dated 28.02.2018 in Cr. Misc. no. 11972 of 2018, whereby and whereunder the petitioner was granted anticipatory bail and it was directed that in the event of arrest or surrender of the petitioner before the Court below within a period of six weeks from the date of receipt/ production of a copy of this order, the petitioner shall be released on anticipatory bail subject to conditions mentioned in the said order dated 28.02.2018.

The modification sought for, by the petitioner in the aforesaid order dated 28.02.2018 is that since the petitioner could not surrender within the stipulated time



frame on account of illness, the order be modified and further time be granted to the petitioner to surrender before the learned court below and seek anticipatory bail.

I have heard the learned counsel for the parties and perused the materials on record and I find that a one page cryptic petition for modification of the order dated 28.02.2018 has been filed, wherein no detail has been furnished regarding the type of illness of the petitioner or the period of illness nor any certificate of any recognized medical practitioner has been annexed so as to persuade this Court to modify the aforesaid order dated 28.02.2018, notwithstanding the additional infirmity in the case of the petitioner to the effect that he has approached this Court for modification, only after a lapse of more than one and a half years. It appears that the petitioner has got no regard for the process of law, hence the present petition stands dismissed, however with liberty to the petitioner to surrender before the court below and seek regular bail, which would be considered on its own merit by the learned court below, in connection with Sirdalla PS case no. 275 of 2017 under Section 30(a) of Bihar Prohibition and Excise Act, 2016,



pending before the learned court of Additional Sessions
Judge-II-cum-Special Judge, Nawada.

(Mohit Kumar Shah, J)

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