

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61231 of 2019**

**In
CRIMINAL MISCELLANEOUS No.77279 of 2018**

Arising Out of PS. Case No.-94 Year-2018 Thana- PANCHRUKHI District-
Siwan

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ARUN SINGH @ ARUN Son of Yugul Singh @ Yugul Kishor Singh @ Yugal
Kishor Resident of Village- Vihar Buzurg, P.S.- Patah Rekha, District-
Kushinagar, State- Uttar Pradesh.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Sharda Nand Mishra, Advocate.

For the Opposite Party: Mr. Kumar Ranjit Ranjan, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 16-10-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The present petition has been filed for modification
of the order dated 24.01.2019 passed in Cr. Misc. No. 77279 of
2018.

3. Learned counsel for the petitioner submits that by
order dated 24.01.2019, the petitioner was granted anticipatory
bail with a direction to surrender within a period of six weeks.
However as he was suffering from illness and was admitted to the
District Combined Hospital, Kushinagar and for this reason he
could not surrender before the learned Court below within the
stipulated period.



4. Considering the vague submission made as above, the petitioner was directed to file supplementary affidavit for which he sought two weeks' time and the same has now been filed. From the supplementary affidavit however it appears that the petitioner was treated at District Combined Hospital, Kushinagar in the Out Patient Department on 09.02.2019 (Annexure-2 series). The petitioner has not been able to satisfy this Court about the correctness of the statement made about the petitioner being admitted in hospital and that too for a duration which prevented him from surrendering within the stipulated period of such sick.

5. In the above circumstances, this Court is not inclined to modify the order dated 24.01.2019 passed in Cr. Misc. No. 77279 of 2018. The petition stands dismissed.

(Vikash Jain, J)

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