

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28207 of 2020

In
CRIMINAL MISCELLANEOUS No.3604 of 2019

Arising Out of PS. Case No.-861 Year-2017 Thana- SAHARSA COMPLAINT CASE
District- Saharsa

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Jai Vikash Jai Son of Ashok Kumar Choudhary Resident of Village-
Chandrayan, P.S.- Nauhatta, District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Soni Devi Wife of Jai Vikash Jai, Daughter of Ashok Choudhary R/o
Village- Chandrayan, P.S.- Nauhatta, District- Saharsa. Presently residing at
Purikh, P.S.- Bihar, District- Saharsa.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr..Madhav Jha, Advocate
For the Opposite Party/s : Dr. Ajit Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 04-11-2020 Heard the parties through video conferencing.

The instant application has been filed by the petitioner praying for modification of the order dated 4.3.2020 passed in Cr. Misc. no. 3604 of 2019, whereby while granting bail, the petitioner was directed to surrender within a period of six weeks with effect from 4.3.2020.

It is submitted by learned counsel for the petitioner that by order dated 4.3.2020 (Annexure-1) passed in Cr. Misc. no 3604 of 2019 the petitioner had been directed to be enlarged on bail in connection with Complaint Case no. 861C of 2017 pending in the Court of learned Sub-Divisional Judicial Magistrate, Saharsa with the further direction to surrender within six weeks. It is submitted that soon after passing of the aforesaid order, the lock-down was declared by the Central



Government due to COVID-19 pandemic and it was for reasons beyond his control that the petitioner could not surrender within the stipulated time. It is submitted that there has been amicable settlement between the parties and both the petitioner as well as the opposite party no. 2 are living together. It is submitted that in the circumstances, the time granted to surrender in the learned Court below by order dated 4.3.2020 be extended.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case together with the submissions made on behalf of the petitioner, the Court is inclined to modify the order dated 4.3.2020 (Annexure-1) to the extent that the time granted to the petitioner to surrender is extended by a further period of two weeks from today ie till 18.11.2020. The remaining part of the order dated 4.3.2020 (Annexure-1) passed in Cr. Misc. no. 3604 of 2019 (Jai Vikash Jai vs. the State of Bihar) shall remain unchanged.

The modification application stands allowed to the above extent.

(Partha Sarthy, J)

Prakash/-

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