

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61121 of 2019**

Arising Out of PS. Case No.-37 Year-2013 Thana- SIMRI District-
Darbhanga

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Md Gulab S/O Md. Muslim Resident of Bastawara, P.S. Simri, Distt.-
Darbhanga.

... .. Petitioner

Versus

1. The State of Bihar
2. Sajda Khatoon D/O Md. Lukman Resident of Village Shiddhara, P.S.-
L.N.M.U, Darbhanga, District- Darbhanga.

... .. Opposite Parties

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Appearance :

For the Petitioner : Md. Shahnawaz Ali, Advocate.

For the Opposite Party: Mr. Atul Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 26-06-2020 Heard learned counsel for the petitioner and learned
APP for the State through video conference.

2. The present petition has been filed for modification
of the order dated 10.09.2014 passed in Cr. Misc. No. 12157 of
2014 for extending the period of surrender.

3. It is submitted that the petitioner is the husband of
the informant and has been made accused of cruelty against her
in a case instituted under Section 498A, 506, 34 of the Indian
Penal Code. It is further stated that the matter has since been
compromised amicably between the parties. It is stated that in
absence of any information or knowledge of the order granting
anticipatory bail dated 10.09.2014, he could not comply with the



same within the stipulated time.

4. Learned APP appears and has been heard.

5. Considering the inordinate delay of more than five years in approaching this Court for modification of the order dated 10.09.2014 and in absence of any material to show immediate apprehension of arrest, this Court is not inclined to allow the prayer of the petitioner.

6. The petition accordingly stands dismissed with liberty to the petitioner to file a fresh application on merits for grant of anticipatory bail, if occasion so arises in future.

(Vikash Jain, J)

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