

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.84236 of 2019**

**In
CRIMINAL MISCELLANEOUS No.50154 of 2019**

Arising Out of PS. Case No.-35 Year-2019 Thana- NOWKOTHI GARHPURA District-
Begusarai

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Satyajit Kumar, S/o Sri Yatindra Kumar Singh, Resident of Behind Puja Floor
Mill, Near St. Michal School, P.O. and P.S.- Digha, District- Patna

... .. Petitioner

Versus

1. The State of Bihar
2. Dakshin Bihar Gramin Bank through its Branch Manager, Pahsara Branch,
District- Begusarai, Bihar

... .. Opposite Parties

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Appearance :

For the Petitioner/s	:	Mr.Rakesh Kumar Sharma, Advocate
For the Opposite Party/s	:	Mr.Kanhaiya Kishore,A.P.P.
For the Bank	:	Mr. Ranjit Kumar Pandey, Advocate

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 22-06-2020 Heard learned counsel for the petitioner, learned

A.P.P. for the State as also Mr. Ranjit Kumar Pandey, learned

counsel for the Bank.

While dismissing the prayer for anticipatory bail of

the petitioner, this Court had observed as under:-

*“In case, petitioner surrenders in the court
below and prays for regular bail within a period
of four weeks from today, the same shall
considered on its own merit without being
prejudiced of the order of this Court.”*

By enclosing a medical prescription of Patna Medical



College Hospital, Patna giving Emergency Patient Registration Details and the registration date being 12.11.2019 the petitioner has submitted before this Court that because of his continued illness he could not surrender in the court below within four weeks period. A prayer has been made to extend the period of four weeks as mentioned in the observation part by giving a reasonable opportunity to the petitioner to surrender in the court below and pray for regular bail which will be considered on its own merit.

Learned A.P.P. for the State as well as Mr. Pandey, learned counsel for the Bank submit that the petitioner was granted four weeks time to surrender, however, he failed to surrender within the prescribed time and, as such, the prayer made in the present application need not be allowed.

Having heard learned counsel for the parties, this Court finds that the only observation which this Court had given was a kind of usual and routine kind of observation and even if the petitioner failed to surrender within four weeks and wish to surrender now he could have done so without seeking any further observation from this Court. In any case, his prayer for regular bail may be considered only on surrender and it has to be considered on its own merit. This Court, therefore, observes



that it is open for the petitioner to surrender and seek regular bail which will be considered on its own merit without being prejudiced by the order of this Court. If the petitioner does not surrender and/or is not surrendering, the law will take its course.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

