

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18764 of 2021

In
CRIMINAL MISCELLANEOUS No.10329 of 2019

Arising Out of PS. Case No.-83 Year-2018 Thana- DIGHA District- Patna

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SATYENDRA KUMAR SON OF LATE RANA SHANKAR DAS Resident
of Village- Shahpur Diyara, Pahleza, P.S.- Sonapur, District- Saran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 17-03-2021 This application has been filed seeking modification in
the order dated 20.02.2019 passed in Cr. Misc. No. 10329 of 2019
as regards this petitioner.

By the said order this Court had allowed the application
filed on behalf of the two petitioners and directed that in case of
their arrest or surrender within a period of four weeks, they shall
be released on bail on furnishing bail bond of Rs. 15,000/- with
two sureties subject to the condition that the petitioner shall join
the investigation by reporting to the Investigation Officer within a
period of two weeks and shall cooperate in course of investigation.

It appears that the petitioner no. 2 in the main
application was this petitioner who is now seeking modification of
the order. The application has been filed after 24.02.2021 i.e. after
more than two years. The reasons for not surrendering and



submitting the bail bond, as disclosed in the petition is that the present petitioner was suffering from infective jaundice. The certificate of the doctor placed at Annexure - '2' shows that the petitioner was under his treatment from 15.02.2019 to 04.04.2019.

There is in fact no explanation at all for the period after 04.04.2019 till filing of this application. Moreover the petitioner has not made any statement at all saying that he had reported to the investigating officer within the period prescribed by this Court and has cooperated in course of investigation.

To this Court, it appears that on the one hand the petitioner is unable to show any plausible and cogent reason for not surrendering and submitting the bail bond within the prescribed period and then not moving this Court within a reasonable period for extension of time, the petitioner has also failed to show his bonafide inasmuch as he does not confirm to have joined the investigation so far. The petition therefore, lacks bonafide on both the counts.

The application is dismissed.

(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'.

