

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 30932 of 2021
Arising out of
CRIMINAL MISCELLANEOUS No. 69664 of 2019

Arising Out of PS. Case No.-280 Year-2019 Thana- BODHGAYA District- Gaya

Rai Ji, aged about 24 years, Male Son of Umesh Yadav @ Umes Yadav,
Resident of Village - Birhu, PS- Cherki, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate
For the State : Mr. Md. Arif, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 18-08-2021

The matter has been heard *via* video conferencing.

2. Heard Mr. Vinod Kumar, learned counsel for the petitioner and Mr. Md. Arif, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

3. The present petition has been filed seeking modification in the judgment and order dated 06.03.2020 passed in Cr. Misc. No. 69664 of 2020.

4. Learned counsel for the petitioner submitted that by the aforesaid judgment and order, the Court had granted the petitioner pre-arrest bail subject to him surrendering before the Court below within six weeks from the date of the order. It was submitted that the petitioner had gone to Kolkata and was with his



family where he was working and due to the pandemic situation, he could not return. Further, it was submitted that there was some communication gap between him and his learned counsel as he was at Kolkata and he did not realise the implication of not appearing before the Court below within the stipulated time. Learned counsel submitted that on merits, the Court having granted him the privilege of anticipatory bail, further indulgence be granted by extending the time for him to surrender and take bail before the Court below.

5. Learned APP submitted that the petitioner was required to be more vigilant.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, as it can be safely presumed that there could not have been any deliberate or wilful laches on the part of the petitioner for not availing a favourable order, the Court, in the ends of justice, is inclined to allow the prayer.

7. Accordingly, the time granted to the petitioner in the judgment and order dated 06.03.2020 passed in Cr. Misc. No. 69664 of 2020, to surrender before the Court below for being released on bail stands extended by a further period of six weeks from today.



8. The rest of the aforesaid judgment and order shall remain unchanged.
9. The petition stands disposed of in the aforesaid terms.

(Ahsanuddin Amanullah, J.)

P. Kumar

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