

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 38179 of 2021

Arising out of
CRIMINAL MISCELLANEOUS No. 32833 of 2020

Arising Out of PS. Case No.-249 Year-2019 Thana- NOKHA District- Rohtas

Kabutari Devi, aged about 49 years, Gender-Female, Wife of Rajendra Singh
@ Rajendra Yadav, Resident of Village- Shrikhinda, PS- Nokha, District-
Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwari, Advocate
For the State : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 04-08-2021

The matter has been heard *via* video conferencing.

2. The case has been taken up out of turn on the basis of motion slip filed by learned counsel for the petitioner on 28.07.2021, which was allowed.

3. Heard Mr. Ajay Kumar Tiwari, learned counsel for the petitioner and Mr. Ramchandra Sahni, learned Additional Public Prosecutor (APP) for the State.

4. The present petition has been filed seeking modification in judgment and order dated 05.04.2021 passed in Cr. Misc. No. 32833 of 2020, by which the petitioner was granted pre-arrest bail and had to appear before the Court below within six weeks for being released on bail.



5. Learned counsel for the petitioner submitted that she being in contact with a COVID-19 patient and the functioning of the Court also being disturbed from 09.04.2021, could not appear before the Court below for being released on bail within the stipulated six weeks. It was submitted that the present petition has been filed soon thereafter on 25.06.2021. Learned counsel submitted that without any fault or laches on her part, due to circumstances she could not comply with the order and would suffer irreparable loss if the time is not extended as the Court already had granted her pre-arrest bail.

6. Learned APP submitted that the petitioner had to be vigilant.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court finds that sufficient cause has been shown by the petitioner for not appearing before the Court below within the stipulated period for being released on bail in terms of the order dated 05.04.2021 passed in Cr. Misc. No. 32833 of 2020.

8. Accordingly, the petition is allowed.

9. The order dated 05.04.2021 passed in Cr. Misc. No. 32833 of 2020 stands modified to the extent that the time indicated in the order for the petitioner to appear before the Court



below stands extended by a further period of six weeks from today.

10. The rest of the order shall remain unchanged.

(Ahsanuddin Amanullah, J.)

P. Kumar

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