

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.46280 of 2021

In

CRIMINAL MISCELLANEOUS No.38503 of 2020

Arising Out of PS. Case No.-38 Year-2020 Thana- LAHERIMUHALLA District- Nalanda

ISHWAR DAYAL @ ISHWAR DAYAL MAHTO Son of Late Sukar Mahto
Resident of Village - Sipah, P.S.- Deepnagar, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Malay Kumar Choudhary

For the Opposite Party/s : Mr.Atul Chandra

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

3 25-08-2021 The instant case has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and the learned APP for the State.

The present petition has been filed seeking modification of the order dated 31.05.2021, passed in Cr. Misc. no. 38503 of 2020 to the extent that the time granted to the



petitioner for surrendering before the learned court of Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Laheri PS case no. 38 of 2020, be extended by a further period of four weeks from today in order to enable the petitioner to surrender before the learned court below and seek the privilege of bail.

The learned counsel for the petitioner has submitted that the petitioner could not surrender before the Ld. Court below within the stipulated time fixed by this Court on account of the E-mail being sent belatedly by this Court to the Ld. court below resulting in the Ld. court below not entertaining the petition of the petitioner.

The learned APP for the State Sri Atul Chandra has got no objection.

Having regard to the facts and circumstances of the case, considering the averments made in the present petition and taking into account the submissions made by the learned counsel for the petitioner, I deem it fit and proper to extend the time period granted to the petitioner to surrender before the learned court of Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Laheri PS case no. 38 of 2020,



by a further period of four weeks from today.

The present petition stands disposed of with the
aforesaid modification in the order dated 31.05.2021, passed in
Cr. Misc. no. 38503 of 2020.

(Mohit Kumar Shah, J)

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