

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67991 of 2019

Arising Out of PS. Case No.-52 Year-2014 Thana- MAHILA P.S. District- Nalanda

Lilam Devi @ Gavvo @ Lilam Devin W/O Sintu Mishra @ Santu Mishir
Resident Of Village - Basti Bigha, Tand Par, P.S.- Nardiganj, Dist.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha

For the Opposite Party/s : Mr. H.A. Khan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-09-2021

Heard the parties through virtual court proceedings.

Learned counsel for the petitioner undertakes to remove the defects, as pointed out by the office, within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

This is an application for quashing the order dated 18.07.2019 passed by the learned Sessions Judge, Nalanda, Bihar Sharif in Cr. Misc. Case No. 19/2019, where by learned Sessions Judge has dismissed the Miscellaneous Petition and refused to extend the time for surrender of the petitioner in view of order dated 11.07.2017 passed in A.B.P. No. 1633 of 2017 connection with Nalanda Mahila P.S. Case No. 52 of 2014 instituted for offence under Sections 498A, 323, 406 of Indian Penal Code and Sections 3/4 of D.P. Act.



It is submitted by learned counsel for the petitioner that due to unavoidable reasons and lack of knowledge of procedure petitioner could not surrender before the court below to take advantage of the order granting anticipatory bail to them. Only when they realized that they shall be arrested that they have garnered funds and have prayed for extension of time.

For some reason or the other, the petitioner could not surrender before the court below and filed an application for extension of time. However, by order dated 18.07.2019 the court below refused to grant any further time.

For substantial justice, further six weeks' time is allowed to the petitioner to furnish bail bonds with condition that the petitioner shall deposit Rs. 5,000/- (Two Thousand) in the Victim Compensation Fund of the learned Trial Court and shall produce receipt of the same at the time of furnishing of the bail bond.

(Anjani Kumar Sharan, J)

GAURAV S./-

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