

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6094 of 2022

In
CRIMINAL MISCELLANEOUS No.73835 of 2019

Arising Out of PS. Case No.-832 Year-2015 Thana- COMPLAINT CASE District- Araria

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UPENDRA KHATWAY @ UPENDRA KHATVE S/o Late Bhagwat Khatway
Resident of Village - Bela, P.S. Narpatganj, District - Araria.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Jilebi Khatwy S/o Late Mahavir Khatway Resident of Village - Bela, Ward No. 6, P.S. - Basmatiya (narpatganj), District - Araria.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Advocate
For the Opposite Party/s : Mr. Shantanu Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 16-02-2022 Heard Mr. Gopal Kumar Jha, learned Advocate
for the petitioner and Mr. Shantanu Kumar, learned APP
for the State.

Mr. Jha seeks modification of the order dated
06.12.2021 passed in Cr. Misc. No. 73835 of 2019 for
extension of time for surrendering of the petitioner
before the court below.

Learned counsel for the petitioner has
submitted that the petitioner is a daily-wage earner
working outside for his livelihood and for this reason he
could not surrender within the stipulated time before the
court below to take advantage of the order.

For the reasons stated in the application, the



prayer for extension of time for surrendering of the petitioner before the court below is also allowed.

The order is modified to the extent that if the petitioner surrenders before the learned court below within a further period of four weeks from today, he will be accorded the privilege under the order dated 06.12.2021 on the same terms and conditions.

With the aforesaid modification, the application stands allowed.

(Ashutosh Kumar, J)

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