

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37499 of 2022

In
CRIMINAL MISCELLANEOUS No.20746 of 2020

Arising Out of PS. Case No.-1126 Year-2018 Thana- MUNGER COMPLAINT CASE
District- Munger

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TINKU KUMAR @ RAJMANI KUMAR SINGH Son of Sudhakar Singh
Resident of Village - Itwa, P.S.- Dharhara, District- Munger.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Asmita Kumari wife of Tinku Kumar @ Rajmani Kumar Singh Resident of Village - Itwa, P.S.- Dharhara, District- Munger. At present resident of Village - Ratanpur, P.S.- Bariyarpur, District - Munger.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh
For the Opposite Party/s : Mr.Ajit Kumar

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CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY

ORAL ORDER

3 24-08-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the office within one month.

Heard the learned counsel for the petitioner as well as the

learned Additional Public Prosecutor for the State.

The learned counsel for the petitioner has submitted that

the petitioner was granted anticipatory bail provisionally in Cr. Misc.
No. 20746 of 2020, vide order dated 22.07.2020. The petitioner was
directed to surrender within a period of six months and his
provisional bail was to be confirmed by the learned court below in
three eventualities, (i) if the matrimonial harmony gets substantially
restored, or (ii) if the complainant fails to appear before the learned



Court below, or (iii) if the complainant gets reluctant to reconcile the issue, on furnishing bail bond of Rs.10000/-(ten thousand) with two sureties including one surety given at the time of provisional bail of the like amount each to the satisfaction of learned CJM, Munger in connection with Complaint Case No. 1126C of 2018.

The petitioner did not surrender within the stipulated period and after a lapse of more than one year, he filed Cr. Misc. No. 55495 of 2021 for extension of time for his surrender and that petition was also allowed, vide order dated 23.12.2021 and further four weeks time was granted to the petitioner to surrender even then he did not surrender and he has filed again the present modification application seeking time to surrender.

The petitioner was granted anticipatory bail provisionally, but he did not surrender within the stipulated period. His first modification application, i.e. Cr. Misc. No.55495 of 2021, was allowed even then he did not surrender, as such, the present modification application cannot be considered. Accordingly, it is disposed of.

(Nawneet Kumar Pandey, J)

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