

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 40376 of 2022**

**In
CRIMINAL MISCELLANEOUS No 76760 of 2019**

Arising Out of PS. Case No.-2414 Year-2018 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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LAICHI DEVI W/o Satendra Sah @ Satyendra Shah R/o village- Bakhraor
Naoka Tola, Post Office- Kahla, P.S.- Barauli, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Javed Aslam, Advocate

For the Opposite Party/s : Mr Bishweshwar Ram, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

3 12-10-2022 Heard learned counsel for the petitioner and the State.

Petitioner's prayer for anticipatory bail was allowed
by this Court on 06.03.2020 in Cr Misc No 76760 of 2019.

It is submitted by the petitioner's counsel that the
petitioner could not avail the benefit of the order by
surrendering within the time specified in the order (4 weeks).
It is further submitted that since soon after passing of the order
COVID – 19 Pandemic related restrictions were imposed
throughout the country, the petitioner, who had gone to Punjab
with her brother for earning livelihood, could not receive
intimation regarding the prayer for bail being allowed; and was
prevented by the restrictions from availing the benefit within the



time.

This Court had earlier called for a report from the trial Court as to whether process under Sections 82, 83 of Criminal Procedure Code (for brevity *Cr P C*) has been issued or not? Report dated 08.09.2022 specifies that no steps have been taken for issuing process under Section 82, 83 of Cr P C till date.

In view thereof, the order dated 06.03.2020 is modified so as to allow the petitioner further three weeks from today for surrendering before the Court below for availing the benefit of the order dated 06.03.2020 passed by this Court in Cr Misc No 76760 of 2019.

This application is allowed.

(Madhuresh Prasad, J)

M.E.H./-

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