

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52037 of 2019

Arising Out of PS. Case No.-73 Year-2018 Thana- MAHILA P.S. District- Nalanda

1. SITY @ SWEETY DEVI @ SITY DEVI Wife of Sri Ranjeet Yadav Resident of Village - Ali Nagar, P.S.- Sare in The District of Nalanda
2. Ranjeet Yadav Son of Naresh Yadav Resident of Village - Ali Nagar, P.S.- Sare in the district of Nalanda
3. Mukesh Yadav@ Mukesh Kumar Yadav Son of Naresh Yadav Resident of Village - Ali Nagar, P.S.- Sare in the district of Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr.Pramod Kumar Pandey,APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-05-2022 This application has been filed for quashing of the order dated 26.06.2019 passed by learned Sessions Judge, Nalanda at Biharsharif in Criminal Miscellaneous Case No. 17 of 2019 (arising out of Nalanda Mahila P.S. Case No. 73 of 2018) whereby and where under, the petition for extension of time for surrender of petitioners before the court below was rejected on the ground that Cr. Miscellaneous Case No. 17 of 2019 was filed after lapse of five months from the date of passing of order of anticipatory bail to the petitioners.

It is submitted on behalf of petitioners that petitioners were extended the privilege of anticipatory bail and were



directed to surrender before the court below within a month from the date of order i.e. 24.01.2019, but due to the reason that petitioner no. 1 Sity Devi was suffering from chronic back cube and Sciatica left lower limb, she remained under treatment in a hospital from 04.02.2019 to 08.06.2019, for which, she was advised for 4-5 months rest until controlled and petitioner no. 2, being husband, and petitioner no. 3, being *devar* (brother-in-law) of petitioner no. 1 remained serving her to get well soon and therefore, they could not surrender before the court below within stipulated time.

In view of reasons assigned in the petition, further two months time from the date of receipt/ production of copy of this order is granted to the petitioners to surrender before the court below.

Accordingly, the impugned order dated 26.06.2019, whereby the petition for extension of time for surrender of petitioners was rejected, is quashed and this petition is allowed.

(Prabhat Kumar Singh, J)

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