

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66544 of 2021**

Arising Out of PS. Case No.-146 Year-2018 Thana- DAUDPUR District- Saran

Buchul Singh @ Bulchul Singh @ Jai Shankar Singh Son of Late Awadh
Singh Resident of Village - Saryupar, P.s.- Daudpur, Distt.- Saran (Chhapra).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar, Advocate
For the Opposite Party/s : Ms.Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

5 01-12-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

This is an application for quashing on behalf of the
above named petitioner for setting aside the order dated
15.09.2021 passed by the learned 8th Addl. Sessions Judge,
Saran at Chapra in Cr. Misc. No. 194 of 2021 arising out of
Daudpur P.S. Case No. 146/2018 whereby an whereunder he has
rejected the petition filed on behalf of the petitioner for
extension of time for his surrender and furnish his bail bonds in
the above said case before the court below.

Learned counsel appearing on behalf of the petitioner
submitted that non appearance of the petitioner was neither
intentional nor deliberate, as he was suffering from several



ailments, where hospitalization for long period was continued. It is further submitted that petitioner was unable to surrender as he was compelled by extra ordinary situations, due to Covid-19 also.

Learned APP opposes the prayer of submission that delay is about three (3) years.

In view of the facts and circumstances as mentioned above, as sufficient reasons have been explained for non appearance of the petitioner due to medical compulsion, Court is of the view that one more opportunities may be given to petitioner, in interest of justice.

Accordingly, impugned order dated 15.09.2020 is set aside.

Petitioner is directed to surrender and furnish the sureties, as mentioned in the order of the learned Court below, through which petitioner had been granted anticipatory bail, within a period of two weeks from the date of receipt of a copy of this order.

Hence, the present quashing petition is allowed.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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