

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9913 of 2023

In
CRIMINAL MISCELLANEOUS No.57102 of 2022

Arising Out of PS. Case No.-595 Year-2015 Thana- SASARAM MUFFSIL District- Rohtas

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Firoz Ansari, Son Of Subhan Ansari R/O Village- Amari, P.S.- Sasaram (M),
District- Rohtas

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwary

For the Opposite Party/s : Ms. Pushpa Sinha.1

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The learned counsel for the petitioner submits that
petitioner had earlier moved before this Court seeking
anticipatory bail in Cr. Misc. No.57102 of 2022.

The said case was taken up on 14.11.2022 and the
petitioner was directed to surrender on or before 24.11.2022 and
in the event, if petitioner would have surrendered on that day,
the learned trial Court was directed to try to dispose of the case
on the same day as it was submitted that nearly more than 20
accused have been released on anticipatory bail.

The learned counsel submits that though liberty was
granted to the petitioner to surrender on or before 24.11.2022 by



the order dated 14.11.2022 in Cr. Misc. No.57102 of 2022, but the order dated 14.11.2022 in Cr. Misc. No.57102 of 2022 did not reach the trial Court in time.

It is next submitted that the petitioner along with the web copy of the order dated 14.11.2022 in Cr. Misc. No.57102 of 2022 had filed an application before the learned trial Court for surrendering on 24.11.2022.

It is next submitted that since the order dated 14.11.2022 in Cr. Misc. No.57102 of 2022 had not reached the learned trial Court by 24.11.2022, as such, the learned Chief Judicial Magistrate, Rohtas at Sasaram did not accept his surrender-cum-bail application based on the web copy of the order dated 14.11.2022.

The learned counsel for the petitioner submits that the learned Chief Judicial Magistrate was only directed to try to dispose of the case on the same day and if learned Chief Judicial Magistrate was of the view that the order of this Court has not reached the trial Court in time either he could have rejected the surrender-cum-bail application or could have granted provisional bail awaiting the order dated 14.11.2022, but definitely could not have asked the petitioner that his surrender-cum-bail application would be accepted only after the order of



this Court reaches the trial Court.

Be that as it may, in the event, if the petitioner surrenders on or before 02.03.2023, the learned trial Court shall try to dispose of the case on the same day as it has been submitted now also that more than 20 accused have been released on anticipatory bail in the present case.

The learned counsel for the petitioner, at this stage, submits that the petitioner only has antecedent of three cases excluding the present one and in all the three cases he is on bail.

Accordingly, the order dated 14.11.2022 passed in Cr. Misc. No.57102 of 2022 is modified to the extent indicated above.

The modification application is allowed.

(Satyavrat Verma, J)

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