

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14446 of 2024

In
CRIMINAL MISCELLANEOUS No.70529 of 2023

Arising Out of PS. Case No.-68 Year-2023 Thana- KUMAR KHAND District- Madhepura

Radheshyam Choudhary @ Radheshyam Choudhari S/o Baijau Choudhari @
Baiju Choudhary @ Babuji Choudhary R/o ward no. 9, Daparkha, P.s. -
Daparkha, Distt. - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumeet Kumar Singh, Adv.
For the Opposite Party/s : Mr. M. K. Nirala, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 23-02-2024 Heard Mr. Sumeet Kumar Singh, learned counsel

appearing on behalf of the petitioner and Mr. M. K. Nirala,

learned Additional Public Prosecutor for the State.

2. The petitioner by filing the present application
seeks modification of the order dated 07.11.2023 passed by this
Court in Cr. Misc. No. 70529 of 2023, whereby the petitioner
was granted the privilege of anticipatory bail with a direction to
surrender in the learned court below within four weeks and
furnish sufficient bail bonds.

3. It is submitted that apart from the petitioner being
an old person it is the fact that he was under treatment and there
was also some communication gap resulting into non-surrender



of the petitioner within the stipulated period and, as such, the present application.

4. Learned counsel for the petitioner submits across the Board that admittedly despite the aforesaid facts there is a laches on the part of the petitioner which cannot be countenanced. However, if the petitioner would be allowed two weeks further time for surrender and submission of adequate bail bonds, he would ensure the compliance of the order of this Court.

5. The aforesaid contention has been opposed by the learned APP for the State.

6. Considering the age of the petitioner, this Court allows further two weeks time to the petitioner to surrender and submission of the adequate bail bonds, subject to the cost of Rs.10,000/- which shall be deposited in the District Legal Services Authority, Madhepura.

7. In view thereof, the order dated 07.11.2023 passed by this Court in Cr. Misc. No. 70529 of 2023 is modified to the extent indicated above and the application stands allowed.

(Harish Kumar, J)

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