

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58494 of 2024

In
CRIMINAL MISCELLANEOUS No.39086 of 2020

Arising Out of PS. Case No.-190 Year-2020 Thana- RAJAON District- Banka

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1. Bimal Paswan Son of Suryanarayan Paswan R/V- Madhepur, P.S.- Rajoun, Distt.- Banka
 2. Deepak Paswan @ Deepak Kumar Paswan Son of Bimal Paswan R/V- Madhepur, P.S.- Rajoun, Distt.- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar, Adv.

For the Opposite Party/s : Mr.Tapeshwar Sharma, Adv.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 09-08-2024 1. The present petition has been filed to modify the order dated 1.6.2021, passed by this Court in Criminal Miscellaneous No. 39086 of 2020 to the effect that the time granted to the petitioners to surrender before the Ld. Trial Court & avail anticipatory bail be extended.
2. At the outset, the learned counsel for the petitioners seeks not to press the present petition qua the petitioner no. 2. Hence, the present petition stands dismissed as not pressed qua the petitioner no. 2. Nonetheless, as prayed for by the learned counsel for the petitioner no. 2, he is granted four weeks time to



surrender before the learned Court of Chief Judicial Magistrate, Banka, in connection with Rajaun P.S. Case No. 190 of 2020 and obtain regular bail. Consequently, the order dated 1.6.2021, passed in Criminal Miscellaneous No. 39086 of 2020, qua the petitioner no. 2 shall not inure any benefit to the petitioner no. 2.

3. As far as the petitioner no. 1 is concerned, the learned counsel for the petitioner submits that he was suffering from Spine Tuberculosis and other serious ailment, prescription whereof has been annexed to the present petition and had undergone intense treatment for about three years, hence, he could not surrender before the learned Court below within the stipulated time frame, thus, the order dated 1.6.2021, passed in Criminal Miscellaneous No. 39086 of 2020, be modified and the petitioner no. 1 be granted further four weeks' time to surrender before the learned Trial Court and obtain the privilege of anticipatory bail.

4. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner No. 1 as also taking into account the averments made in the present petition, I deem it fit and proper to grant four weeks' further time, starting from today, to the petitioner no. 1 to surrender before the learned Court of Chief Judicial



Magistrate, Banka, in connection with Rajaun P.S.Case No. 190 of 2020, for the purposes of grant of anticipatory bail.

5. Accordingly, the present petition stands disposed off with the aforesaid modification in the order dated 1.6.2021, passed in Criminal Miscellaneous No. 39086 of 2020.

(Mohit Kumar Shah, J)

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