

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44493 of 2024

In
CRIMINAL MISCELLANEOUS No.45256 of 2023

Arising Out of PS. Case No.-206 Year-2019 Thana- KURSAKANTA District- Araria

Md. Meraj @ Meraj SON OF MD. TAIYYAB VILLAGE- DUBBA (DUBA)
PS- JOKIHAT, DIST- ARARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhav Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. This application has been filed seeking modification of the order dated 06.12.2023 passed in Cr. Misc. No. 45256 of 2023 for extension of time to surrender in the court below.

3. Learned counsel for the petitioner submits that the petitioner wants to surrender in the learned court below, the benefit of the observation of this Court's order in paragraph '8' be extended to him.

4. Learned APP for the State submits that in paragraph '8' of its order dated 06.12.2023, this Court has simply observed that if the petitioner surrenders and prays for regular bail in the



court below within a period of four weeks from today, his prayer for regular bail shall be considered on its own merit without being prejudiced by the order of this Court.

5. It is submitted that the court hearing regular bail application is always supposed to consider the prayer without being prejudiced by an order of the court unless it is specifically directed otherwise.

6. This Court finds substance in the submission of learned APP for the State.

7. It is always open to the petitioner to surrender in the court below and pray for regular bail and the court below has to consider the same on its own merit.

8. This application stands disposed of.

(Rajeev Ranjan Prasad, J)

Ranjeet/-

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