

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57900 of 2024

In
CRIMINAL MISCELLANEOUS No.23416 of 2024

Arising Out of PS. Case No.-26 Year-2021 Thana- Excise P.S. District- Vaishali

Manjay Rai @ Manjay Kumar Son of Amir Ray Resident of Village -
Purantand, P.S. - Lalganj, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-08-2024 1. Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. Learned counsel for the petitioner submits that the
petitioner has filed the instant modification application with a
prayer to extend the time of surrender.

3. Learned counsel for the petitioner submits that
petitioner was granted the privilege of anticipatory bail by an
order dated 2-4-2024 in Cr. Misc No. 23416 of 2024 with a
direction to surrender within a period of six weeks. It is next
submitted that period of six weeks ended on 16-5-2024. It is
next submitted that petitioner could not surrender as he was ill
and was under treatment at IGIMS Hospital, Patna, though was
not admitted in the Hospital.



4. Learned APP, Shri. Chandra Bhushan Prasad, vehemently opposes the instant application and submits that the last date of surrender was 16-5-2024 and petitioner was not admitted in the Hospital rather was under treatment as such if the petitioner for any reason was not in a position to surrender, he could have moved this Court prior to 16-5-2024, but then the petitioner instead of moving this Court in time has preferred to move this application at his leisure, which amply demonstrates that petitioner intends to surrender at his own leisure.

5. Considering the submission made by learned APP and the fact that the Court is taking a consistent view in not extending the period of surrender in the event if the petitioner has not surrendered within the time stipulated in the order by which petitioner was granted anticipatory bail, the instant modification application is dismissed.

(Satyavrat Verma, J)

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