IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No.3939 of 2022

Motilal Sundi, S/o Brajmohan Sundi, R/o Village-Bara Lagiya, P.O.-Chaibasa, P.S.-Muffasil, District-West Singhbhum.

..... Petitioner.

-Versus-

The State of Jharkhand ..... Opp. Party.

CORAM : HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner : Mr. Pankaj Kr. Choudhary, Advocate
For the State : Mr. Shailesh Kr. Sinha, A.P.P.

Order No.05 **Date: 20.12.2024**

1. The present Cr.M.P. has been filed seeking extension of time to surrender before the concerned court below in the light of order dated 22nd February, 2019 passed in A.B.A. No.6266 of 2018.

2. Heard learned counsel for the parties. On perusal of the order dated 22nd February, 2019 passed in A.B.A. No.6266 of 2018, it appears that the present petitioner and two others were granted anticipatory bail by a Bench of this Court in connection with Muffasil P.S. Case No.53 of 2018, corresponding to G.R. No.236 of 2018 with a direction to surrender them before the concerned court within four weeks from the date of the said order and on surrender, they were to be released on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Chaibasa. The present petitioner was the petitioner no.3 in the said anticipatory bail application.

3. According to learned counsel for the petitioner, other accused persons, namely, Dilip Kumar Mahato and Yadunath Das on their surrender in time were enlarged on bail by the concerned court in terms with the order dated 22nd February, 2019 passed in A.B.A. No.6266 of 2018. However, so far as the present petitioner is concerned, he was suffering from ailment during the said period as a result of which he could not surrender before the concerned court in terms with the said order passed in A.B.A. No.6266 of 2018. Hence, the time granted to surrender before the concerned court vide order dated 22nd February, 2019 passed in the aforesaid anticipatory bail application may be extended.

4. This Court is not satisfied with the reasons assigned by the petitioner in the present Cr.M.P. The petitioner has annexed a medical certificate dated 22nd October, 2019 as Annexure-2 to the present petition in which it has been mentioned that he was suffering from severe low back pain and was under treatment of the concerned doctor from 15th February, 2019 to 20th October, 2019. It has also been submitted that thereafter, he met with an accident and suffered injuries on his thigh bone and right ankle bone due to which he was in complete bed rest for a long period. Even if the said fact as stated by the petitioner in the present Cr.M.P. is taken to be true, it is not

understood as to under what circumstance the present petition was filed so belatedly i.e., after about 3 years and 8 months from the order dated 22nd February, 2019 passed in A.B.A. No.6266 of 2018.

5. Under the said circumstance, this Court is not inclined to entertain the present Cr.M.P. and the same is, accordingly, dismissed.

(Rajesh Shankar, J.)

Vikas/