

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 76564 of 2025

In
CRIMINAL MISCELLANEOUS No.70964 of 2023

Arising Out of PS. Case No.-298 Year-2023 Thana- PHULWARIYA District- Gopalganj

Rohit Sah @ Anuj Sah S/O Ram Haresh Prasad Resident Of Village-
Fatehpur, Ps- Siwan Town, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-11-2025 Heard Mr. Ajay Kumar Tiwary, learned counsel for the
petitioner and Mr. Surendra Kumar, learned Additional Public
Prosecutor for the State.

2. The present modification application has been filed for
modification (extension of time) of order dated 07.11.2023 passed in
Cr. Misc. No. 70964 of 2023.

3. Learned counsel for the petitioner submits that pursuant
to the order dated 07.11.2023, the petitioner did not surrender before
the learned Court below within stipulated period.

4. Learned counsel for the State on the other hand has
vehemently opposed the prayer of the modification application of the
petitioner and submits that the petitioner has been granted the
privilege of anticipatory bail vide order dated 07.11.2023 and almost
after lapse of two years, he has chosen to file the present



modification application which suggest that the petitioner did not honour the order of this Court and he has filed the present modification application without stating anything that why he has not surrendered within stipulated period. The petitioner has stated that he had gone outside the State of Delhi for earning his livelihood but he has not stated on which date he had gone outside the State and on which date he has returned back in the State of Bihar and he has not stated anywhere in the modification application that the learned counsel for the petitioner has informed him or not about the order dated 07.11.2025.

5. Considering the aforesaid facts, it appears that the petitioner has intentionally not surrendered before the learned Court below as stipulated in the order dated 07.11.2023 and he has chosen to file the present application after almost two years from the order dated 07.11.2023.

6. Hence there is no merit in the present modification application. The same stands dismissed.

(Rajesh Kumar Verma, J)

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