

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3171 of 2026

In
CRIMINAL MISCELLANEOUS No.43758 of 2025

Arising Out of PS. Case No.-79 Year-2024 Thana- THAKRAHA District- West Champaran

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Afzal Hussain @ Afzal S/O Mohammad Hussain R/O Village- Malahi Tola,
Ward no. 13, P.S- Thakraha, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Savina Khatoon W/O Afzal Hussain @ Afzal, D/O Alamgir Alam R/O Village- Malahi Tola, Ward No. 13, P.S- Thakraha, Distt.- West Champaran. Present Address- Village- Hafua Chaturbhuj, P.S- Taraya Sujan, Distt.- Kushinagar (UP).

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Ms. Gulnar Begum, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 06-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application has been filed for modification of the order dated 16.10.2025 passed in Cr. Misc. no.43758 of 2025 whereby while granting bail to the petitioner in connection with Thakraha Case no.79 of 2024, the petitioner was directed to surrender in the learned Court below within a period of four weeks.

3. Learned counsel for the petitioner submits that the petitioner who is working outside the country in Kuwait could only return in the month of December. To substantiate his case,



the petitioner has brought on record, copy of the relevant pages of his passport as also his Airline ticket. It is further submitted that the petitioner could not surrender within the time granted for reasons beyond his control. As such, the order be modified extending the period for the petitioner to surrender in the learned Court below.

4. Heard learned APP for the State.

5. It may be observed here that the case arises out of a matrimonial dispute between the petitioner and the informant. While considering the application for bail of the petitioner, the matter had been referred for mediation to the Patna High Court Mediation Centre where the parties entered into a compromise vide agreement dated 25.9.2025 which was signed by both the parties as also their counsels. It was as a result of the settlement arrived at that the bail was granted also incorporating the entire agreement in the order granting bail.

6. In view of the facts and circumstances of the case, the Court is satisfied that the petitioner has made out a case for extension of time.

7. The order dated 16.10.2025 passed in Cr. Misc. no.43758 of 2025 granting bail to the petitioner is modified and the period directing the petitioner to surrender in the learned



Court below is extended by a further period of four weeks from today.

8. It may be observed here that the instant order will be subject to any objection/application which may be filed in opposition by the informant/opposite party no.2.

9. The application stands allowed.

(Partha Sarthy, J)

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