

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29083 of 2026
In
CRIMINAL MISCELLANEOUS No.56742 of 2025

Arising Out of PS. Case No.-426 Year-2024 Thana- DIGHWARA District- Saran

=====

Ritesh Kumar S/O Diwakar Singh R/O Village- Mahadali Chak, P.O.-
Gopalpur, P.S.- Nayagaon, Distt.- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Ms. Shweta Anand, Advocate

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

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-05-2026 1. Heard learned counsel for the petitioner and the
learned APP for the State, Mr. Chandra Bhushan Prasad.

2. The learned counsel for the petitioner submits that
petitioner was granted the privilege of provisional anticipatory
bail by an order dated 05.01.2026 with a direction to surrender
before the learned Trial Court within a period of six weeks. It is
submitted that period of six weeks expired on 16.02.2026, but
then petitioner could not surrender, since he was suffering from
Hepertocellular Jaundice, as would manifest from Annexure-2
series to the modification application.

3. The learned APP for the State, Mr. Chandra
Bhushan Prasad, vehemently opposes the modification
application and submits that it appears to be a ploy of the
petitioner in not surrendering before the learned Trial Court,
despite being granted the privilege of provisional anticipatory



bail. It is submitted that last date for surrender was 16.02.2026 and if petitioner was suffering from any kind of disease, in that event the petitioner could have moved before this Court seeking extension of time on the said ground, before the time of surrender expiring, but then the instant modification application has been filed on 06.04.2026 i.e. after more than 45 days of the time of surrender expiring, it is thus submitted that it appears that the petitioner is moving at his leisure.

4. The Court is taking a consistent view of not extending the period of surrender in the event if the petitioner has not surrendered within the time stipulated in the order by which he was granted the privilege of provisional anticipatory bail or has not moved the Court seeking modification of the order prior to the date of surrender expiring.

5. The Court is in complete agreement with the submissions made by the learned APP for the State, **as such, the modification application is dismissed.**

(Satyavrat Verma, J)

Rishabh/-

U		T	
---	--	---	--

