

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53061 of 2026

In
CRIMINAL MISCELLANEOUS No.5146 of 2014

Arising Out of PS. Case No.-132 Year-2012 Thana- KISHANGANJ District- Kishanganj

Jyoti Kumari Daughter of Vinod Prasad Resident of Vill- Devnagar,
Bhainsloti, PS- Thakurganj, District- Kishanganj, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Prashant Raj
For the Opposite Party/s :	Mr. Shyam Kumar Singh, Mr. Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 28-07-2026 Heard the learned counsel for the petitioner and the
learned counsel for the State.

2. The present application has been filed seeking modification of the order dated 02.05.2014 passed by this Hon'ble Court in Cr. Misc. No. 5146 of 2014, to the limited extent of extending the time granted to the petitioner, Jyoti Kumari, for surrendering before the learned Court below and furnishing bail bonds in connection with Kishanganj P.S. Case No. 132 of 2012, in terms of the anticipatory bail order dated 02.05.2014, as the petitioner could not surrender within the stipulated period due to unavoidable circumstances.

3. Learned counsel for the petitioner submits that,



owing to unavoidable circumstances, the petitioner could not surrender before the learned Court below within the period stipulated in the aforesaid order and, therefore, prays for extension of time to surrender and furnish bail bonds in terms thereof.

4. Having heard the parties and upon consideration of the materials available on record, this Court finds that the order sought to be modified was passed on 02.05.2014, whereas the present application for extension of time has been preferred after an inordinate and unexplained lapse of time. The extraordinary discretionary jurisdiction of this Court cannot be invoked by a litigant who has remained indolent and has approached the Court after such gross delay. No satisfactory or convincing explanation has been furnished to justify the prolonged inaction. In the absence of any sufficient cause, this Court is not inclined to exercise its discretionary jurisdiction in favour of the petitioner. Accordingly, the present application is liable to be rejected on the ground of delay and laches.

5. Accordingly, the present modification application is dismissed on the ground of delay and laches.

6. It is, however, made clear that dismissal of the present application shall not preclude the petitioner from



availing of such other remedy as may be available to her in
accordance with law.

7. Let a copy of this order be communicated to the
Principal District & Sessions Judge, Kishanganj through FAX
or e-mail for immediate compliance.

(Sandeep Kumar, J)

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