



BRPA010128502026

IN THE COURT OF SESSIONS JUDGE, PATNA
CRIMINAL MISC. CASE NO. 269 of 2026

Niraj Kumar, S/o Sri Kamlesh Yadav
R/o:- Village- Bairiya, P.S.- Gopalpur, District- Patna
District- Patna.

..... **Petitioner**

Versus

The State of Bihar

..... **Opposite Party**

ORDER

02.07.2026

1. The present criminal miscellaneous application has been filed by the **accused-petitioner, Niraj Kumar**, seeking extension of time to surrender before the learned Court pursuant to the order dated 25.04.2026 passed in A.B.P. No. 1438/2026 by this Court (Sessions Judge, Patna).
2. Learned counsel for the accused-petitioner submits that the petitioner was granted anticipatory bail by this Court vide order dated 25.04.2026 in A.B.P. No. 1438/2026, in connection with Complaint Case No. 9640(C)/2025, registered for offences under Sections 147, 149 and 302 of Indian Penal Code, 1860. However, the petitioner was unable to execute the bail bond within the stipulated time due to unavoidable circumstances. Subsequently, upon learning about the grant of anticipatory bail, the petitioner, due to a misunderstanding of the procedural requirements, failed to surrender before the learned trial court within the prescribed time. In view of these circumstances, a prayer has been made to allow the present application and grant further time to the petitioner to surrender and furnish his bail bond before the learned Court.
3. The learned Public Prosecutor for the State has raised no objection to the prayer for extension of time to surrender and execute the bail bond, subject to imposition of costs.
4. It is a well-established principle of law that once bail or anticipatory bail is granted, it remains operative unless it is set aside through due process of law. To instill a sense of

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responsibility in the accused, courts prescribe a time limit for execution of the bail bond. Upon expiry of such time, the learned Magistrate is not obliged to entertain the bond unless further time is granted, in which case the bail becomes effective again.

5. In the present case, although there has been considerable delay, the petitioner's failure to surrender within the stipulated period has been explained. Accordingly, in the interest of justice, this criminal miscellaneous application for extension of time is **allowed**, subject to payment of costs amounting to ₹1,000/- (Rupees One Thousand only), to be deposited in the Victim Compensation Fund. The petitioner is granted an additional period of 15 days from the date of receipt of a copy of this order by the learned Court to surrender and furnish his bail bond. All other conditions stipulated in the order dated 25.04.2026 shall remain unchanged.
6. Let a copy of this order be transmitted to the learned Court for its information and needful.

(Dictated)

Sd/-

(Rupesh Deo)

Sessions Judge, Patna

Date of Order	02.07.2026
Date of Reserving Order	N/A
Uploading Date	02.07.2026
Uploaded by	Vinod/-