

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Revision No. 1001 of 2022

Natun Bibi @ Rauki Bibi @ Roki Bibi, aged about 45 years, Daughter of Late Aziz Sk., Resident of Village-Ranipur, (Gherabari), P.O. –Sangrampur, P.S. – Pakur (M), Dist. –Pakur. Petitioner

Versus

The State of Jharkhand Opposite Party

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR RAI

For the Petitioner : Mr. Md. Asadul Haque, Advocate
For the State : Mr. Prabhu Dayal Agrawal, A.P.P.

Order No.08/ Dated: 03.05.2024

I.A. No. 2080/2023

Md. Asadul Haque, learned counsel has appeared on behalf of the petitioner and Mr. Prabhu Dayal Agrawal, learned A.P.P. has appeared for the State.

Submission has been made on behalf of the petitioner that above said I.A. has been moved for exemption from surrendering before learned Court below on account of her ill health as she was getting treatment at C.M.C., Vellore.

Further, submission has been made that the petitioner was confined to bed, therefore, vide order dated 22.02.2024, of this Court, the learned counsel for the State was directed to get examine the petitioner through a doctor appointed by Civil Surgeon of the concerned district and file counter-affidavit.

Learned counsel for the petitioner also urge before this Court, that the petitioner being a lady of 45 years of age, as such, she should be exempted by this Court from surrendering before learned Trial Court.

The prayer of petitioner has been vehemently opposed on behalf of State.

I have carefully perused the counter affidavit dated 07.03.2024 filed on behalf of the State which transpires that in compliance of abovesaid order of this Court, the Medical Board consisting of three doctors was constituted and the petitioner was examined on 02.03.2024 and the certificate of the Medical

Board has also been annexed with counter-affidavit, which reveals that the petitioner is clinically and medically fit for daily activity.

Considering the aforesaid medical condition of the petitioner, petitioner does not deserve any leniency from this Court, accordingly, I.A. No. 2080/2023 is hereby dismissed.

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Learned counsel for the petitioner undertakes that petitioner shall surrender before the Court concerned within two weeks from today.

Learned counsel for the petitioner further seeks one week time to remove the defects.

Let this matter be posted on 14.06.2024.

(Arun Kumar Rai, J.)