

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4988 of 2015

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Naresh Das, Son of Bhagaren Das, Resident of vill-Ramdaspur, P.S-
Goraul, Distt.-Vaishali

.... Petitioner/s

Versus

1. The State of Bihar
2. Poonam Devi W/O Naresh Das,D/O Munshi Das At Present Residing at
village-Ram Nagar,Ghataro Tola,P.S-Kartahan,Distt.-Vaishali

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sushant Kumar, Advocate
For the Opposite Party/s : Mr. Md.Iftekhar Mahmood(App)

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

2 11-02-2015

This application has been filed for modification of the order dated 22.09.2014 passed in Cr. Misc. No.26220 of 2014 by this Court by which the petition filed by the petitioner under Section 438 of the Cr.P.C. was disposed of with liberty to the petitioner to move the learned Sub-Divisional Judicial Magistrate, Vaishali at Hajipur in Complaint Case No.699 of 2013 directing the learned Magistrate to pass order in view of the direction given by the Hon'ble Supreme Court in the case of *Arnesh Kumar vs. State of Bihar & Anr.*, reported in *2014(3) PLJR 314 (SC)*.

It is submitted that the petitioner filed surrender-cum-bail petition before the learned Sub-Divisional Judicial Magistrate, Hajipur, but later on, it was withdrawn as the learned Magistrate was not inclined to release the petitioner on bail. As such, no order

has been passed by the learned Magistrate.

Considering the facts and circumstances, I do not find any ground to modify the aforesaid order dated 22.09.2014.

In the result, this application is dismissed.

(Amaresh Kumar Lal, J)

V.K. Pandey/-

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