

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18270 of 2015

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Amit Mehta @ Amit Kumar Mehta @ Vijay, son of Maheshwari Mehta,
resident of village- Raghunathpur, P.S.- Bhargama, District- Araria

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr. Shantanu Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

3 20-05-2015 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

This application has been filed for modification of the
order dated 30.01.2015 passed in Cr. Misc. No.45485/2014 by this
Court by which the petitioner was directed to be released after
framing of charge.

It is submitted that the two other accused Subhash Yadav
and Manoj Yadav are in Birpur jail and Supaul jail respectively.
They are not produced in the court. As such, the charge has not
been framed.

A report was called for and it has been received, which
shows that the next date for framing of charge was fixed on
16.05.2015.

The learned counsel for the petitioner submits that on

16.05.2015 also, the co-accused were not produced from the respective jail. As such, charge could not be framed and the petitioner is suffering for his no fault.

The learned counsel for the State could not controvert the contention of the petitioner while opposing his prayer.

Considering the facts and circumstances, the word “**after framing of charge**” is modified/deleted.

To this extent, the order dated 30.01.2015 stands modified.

(Amaresh Kumar Lal, J)

V.K. Pandey/-

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