

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2928 of 2015

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Ankit Gupta, Son of Subash Chandra Gupta

.... Petitioner/s

Versus

1. The State of Bihar
2. South Bihar Power Distribution Co. Ltd. Bidyut Bhawan, Bailey Road, Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Mr. Narsing Tanti (A.P.P.)

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CORAM: HONOURABLE MR. JUSTICE AKHILESH CHANDRA
ORAL ORDER

2 22-01-2015

Heard.

This is 2nd attempt on behalf of the petitioner seeking extension of time to avail the privilege granted to him vide order dated 11/08/2014 in Cr. Misc. No. 21986 of 2014 (in connection with Dehari (T) P.S. Case No. 335 of 2013 pending before Sub-Divisional Judicial Magistrate, Dihri, Rohtas at Sasaram) which was subsequently modified vide order dated 24/09/2014 passed in Cr. Misc. No. 40131 of 2014 to the extent that the underlying portions of 4th paragraph, i.e., “in the event of filing duly verified petition supported with personal affidavit before the court below clearly stating all such statements as stated above and making payment as aforesaid for the period January to June 2013” was modified to the extent that between the words **“making payment as aforesaid”** be treated inserted as **“within a week on furnishing the details of amount by the authorities”**, as mentioned in 6th paragraph of the order dated 24/09/2014.

It is submitted that due to some sort of confusion or lack of

communication, there is apprehension of being taken into custody by the court below since the authorities are avoiding furnishing the details of amount depriving the petitioner from making payment within a period prescribed by modifying the order.

Having regard to the facts and circumstances, there appears no scope for any confusion. The payment by the petitioner is to be made only after furnishing details of amounts by the authorities and till it is done, he is only required to file affidavits, undertaking such payment in the light of earlier order dated 11/08/2014. It is expected that all the concerned shall considered the order in its true spirit.

Further, as prayed for, the period to avail the liberty granted to the petitioner, abovenamed, vide order dated 11/08/2014 is extended till 4th February, 2015, subject to deposit of Rs. 8,000/- (Rupees Eight Thousand) with District Legal Services Authority, Rohtas at Sasaram.

With the above modification, the application stands disposed of.

(Akhilesh Chandra, J)

Praveen-II/-

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