

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9035 of 2015

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1. Santosh Kumar Singh Son of Late Ramadhar Singh resident of village -
Agrahan, P.S. Haweli Kharagpur, District - Munger

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 22-04-2015

Heard.

This modification petition has been filed by the petitioner to modify the order dated 04-02-2015 passed in Cr. Misc. No.4431 of 2015.

By order dated 06-01-2015 passed by this court in Cr. Misc. No. 38713 of 2014, the petitioner was directed to surrender before the court of learned Sub Divisional Judicial Magistrate, West, Muzaffarpur in connection with Trial No. 469 of 2012 arising out of Complaint Case No. 1288 of 2004 within a certain period of time but he could not surrender before the concerned court within the stipulated period as in the order dated 06-01-2015 passed in Cr. Misc. No. 38713 of 2014, in place of learned Sub Divisional Judicial Magistrate, East, Muzaffarpur, it was inadvertently, typed as learned Sub Divisional Judicial Magistrate, West, Muzaffarpur and accordingly, this court vide order dated 04-02-2015 passed in Cr. Misc. No.4431 of 2015, again extended two weeks' time for surrender before the court of learned Sub Divisional Judicial Magistrate, East, Muzaffarpur in connection

with above-said Trial No. 469 of 2012 arising out of Complaint Case No. 1288 of 2004 but unfortunately, the above-said order 04-02-2015 passed in Cr. Misc. No.4431 of 2015 could not be communicated to the concerned court as has been averred at paragraph-2 of this petition.

In view of the aforesaid submission, this modification petition is allowed to the extent that three weeks' time is again extended to the petitioner for surrender before the court of learned Sub Divisional Judicial Magistrate, East, Muzaffarpur/concerned court in connection with Trial No. 469 of 2012 arising out of Complaint Case No. 1288 of 2004 and if, the petitioner does so, the concerned court shall proceed with the matter in the light of order dated 30-01-2013 passed in Cr. Misc. No. 50152 of 2012.

Let this order be communicated to the concerned court through fax at the cost of the petitioner without any delay.

However, it is made clear no further extension shall be granted to the petitioner in any circumstance.

Accordingly, this Modification Petition stands disposed off.

(Hemant Kumar Srivastava, J)

A.K.V./-

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