

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11064 of 2016

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1. Sudarshan Mahto Son of Sri Bhagwat Mahto
 2. Saheb Mahto Son of Sri Bhagwat Mahto
 3. Bhagwt Mahto Son of late Dhoop Mahto
 4. Shiv Rati Devi wife of Sri Bhagwat Mahto
 5. Rita Devi wife of Sri Saheb Mahto All resident of Villge Supauli Police Station Sidhwalia in the district of Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Thakur Mahto Son of late Puran Mahto Resident of Village- Bhusao Police Station Thawe in the district of Gopalganj.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhu Narayan Sharma

For the Opposite Party/s : Mr. M.K. Nirala (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 30-03-2016

Heard learned counsel for the parties.

The present application has been filed for modification of the order dated 13.1.2016 passed in Cr. Misc. No. 1632 of 2016 to the extent that the name of accused Shivrati Devi be added in the array of petitioners of aforementioned criminal miscellaneous as she had also executed Vakalatnama but her name was not mentioned in the petition filed under section 438 Cr.P.C.

Since the name of accused Shivrati Devi was not mentioned in the anticipatory bail petition nor any pleading made on her behalf, this court is not inclined to entertain this modification application.

However, this modification application is disposed of with a liberty to the petitioner to file fresh application under section 438 Cr.P.C. in connection with Thawe P.S. Case No. 131 of 2015 pending in the court of learned C.J.M. Gopalganj.

(Dinesh Kumar Singh, J)

Anil/-

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