

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5207 of 2016

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1. Rakesh Kumar son of Shri Shyam Narayan Sinha, Partner of M/S Khyati Motors. R/O - 21, A.N. Path, North S.K. Puri, P.S.- S.K. Puri, District- Patna

2. Shashi Prabha, W/o Rakesh Kumar, 21, A.N. Path, North S.K. Puri, P.S.- S.K. Puri, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar

2. Dr. Anil Kumar, S/o Late Harihar Prasad, R/o Mohalla- Nitibagh Colony, Ava Niwas, P.S.- Rupaspur, District- Patna

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Renu Kumari (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-02-2016 The present modification application has been placed before this Court in view of the administrative order of the learned the Acting Chief Justice at Flag-A dated 05.02.2016 since the Co-ordinate Bench is not available due to medical exigency.

The present application has been filed for modification of order dated 21.12.2015 passed in Cr. Misc. No. 51616 of 2015 for extending the period of surrender and to modify the mode of deposit of Rs.7,00,000/- which was directed to be deposited before the learned court below and when the learned court below was suppose to deposit in the account of the complainant. Since the learned court below is not accepting the prayer made for deposit of amount.

Since the modification with regard to mode of deposit of amount is premature, learned counsel for the petitioner confines the prayer only to the extent of extending the period of surrender.

In the circumstances discussed above, the period of surrender is extended by three weeks from the date of receipt/production of a copy of this order in connection with Complaint Case No. 1462C of 2015 pending in the court of learned Additional Chief Judicial Magistrate, Patna

The order dated 21.12.2015 stands modified to the extent indicated above.

Accordingly, this modification application is disposed of with liberty to file fresh modification application if on surrender occasion arises for clarification of the mode of deposit of the amount.

(Dinesh Kumar Singh, J)

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