

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14079 of 2016

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1. High Court Legal Services Committee, Patna High Court, Patna through its Secretary Shri Kishore Prasad, Joint Registrar (Judicial)-cum-Secretary, Patna High Court Legal Services Committee, Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. The High Court of Judicature at Patna through the Registrar General, Patna High Court, Patna
3. The Registrar General, Patna High Court, Patna
4. The Secretary, General Administrative Department, Govt. of Bihar, Patna
5. Mr. Maya Nand Jha, Advocate, Patna High Court, Patna
6. Ramashish Mahto son of Late Satya Narayan Mahto
7. Deo Chand Mahto son of Ramashish Mahto
8. Lal Babu Mahto son of Ramashish Mahto
9. Sonelal Mahto @ Sonalal Mahto son of Indrajeet Mahto, All are resident of village- Naraura, P.s.- Ghorasahan, District- East Champaran

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Prasad Singh, Advocate
For the Opposite Party/s : Mr. Pradip Nr. Kumar (APP)
For the Patna High Court : Mr. Mrigank Mauli, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 16-09-2016 Heard Mr. Jitendra Prasad Singh, learned Counsel, appearing on behalf of the petitioner, and Mr. Pradip Narayan Kumar, learned Additional Public Prosecutor for the State. Heard also Mr. Mrigank Mauli, learned Counsel, appearing on behalf of the Patna High Court.

The present application, seeking modification of the

order, dated 04.02.2015 aforementioned, is misconceived inasmuch as there is no direction to the Patna High Court Legal Services Committee to pay expenses of proceeding or the fee of *amicus curiae*.

Because of the fact that the appointment of *Amicus Curiae* in Criminal Appeal (DB) No. 137 of 1993, was not under the Patna High Court Legal Services Committee, Patna, we do not find that the prayer, calling for modification of the order, dated 04.02.2015, passed in Criminal Appeal (DB) No. 137 of 1993, calls for any interference. It is made clear that the Patna High Court Legal Services Committee has no onus or duty to pay the fee of the *amicus curiae* in the Criminal Appeal aforementioned.

In view of the above, this petition is dismissed.

(I.A. Ansari,CJ)

(Samarendra Pratap Singh, J)

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