

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7024 of 2016

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1. Dilip Kumar Diwakar Son of Late Anuplal Anup, Resident of Mohalla - Vijay Nagar, Post Office - Police Station and District - Katihar having his office at Satyam Complex 1st Floor, Dr. Rajendra Prasad Road Infront of L.I.c. Office, Katihar, Post Office, Police Station and District - Katihar.

.... Petitioner/s

Versus

1. The State of Bihar
2. Ambarish Banerjee S/o Ashish Banerjee resident of Prafulla Niketan, Bidyapith Road, Deshbandhupara, P.O. - Siliguri Town, P.S. -Siliguri, District - Darjeeling, West Bengal.
3. Anindita @ Anindtta Goswami W/o Kandarpa Goswami
4. Kandarpa @ Kandarpa Goswami S/o Sri Krishnapada Goswami both residents of Gokhel Road By Lane, Near Ambition Computer Centre, Aurobinda Pally, P.O. - Rabindra Sarani, P.S. - Siliguri, District - Darjeeling, West Bengal.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Najeeb Ahmad

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

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 17-02-2016 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner seeks modification of the order dated 08.09.2015 passed in Cr. Misc. No. 13805 of 2015.

It has been submitted that in the present modification petition, petitioner was opposite party/complainant of the case and had appeared and filed a counter affidavit in the aforementioned case. It has been submitted that in his counter affidavit, the petitioner at paragraph 5 has clearly submitted that the

complainant had paid in all Rs. 13,33,900/- on different dates which stands recorded at paragraph 5 of the counter affidavit filed by the complainant. He submits that due to inadvertence the amount has been wrongly mentioned in the order dated 08.09.2015 and recorded as “Rs. 33,900/-” only and, therefore, prays for modification and correction of the aforementioned amount as stated at paragraph 1 of page 2 of the order.

Noticing the discrepancy in the amount mentioned in the order after comparison of the same from the counter affidavit filed by the complainant-petitioner of the present case, let the order dated 08.09.2015 passed in Cr. Misc. No. 13805 of 2015 be modified to the extent that the amount stated in paragraph 1 of page 2 i.e. Rs. 33,900/- be now read as Rs. 13,33,900/-.

With the aforementioned correction/modification, the present application stands disposed of.

(Anjana Mishra, J)

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