

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14231 of 2017

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1. Kamlesh Rai Son of Late Baban Rai, Resident of Village- Jaso, P.S.- Buxar (Mufasil), District- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar.
 2. Smt. Suman Devi Daughter of Sri Panchanad Rai, Wife of Kamalesh Rai, presently residing in village- Sahpuri Patti, P.S.- Sahpur, District- Bhojpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bajarangi Lal

For the Opposite Party/s : Mr. Sri Bisheshwar Ram

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

03/ 10.05.2017 Heard learned counsel for the petitioner as well as learned Addl. Public Prosecutor for the State.

Learned SDJM, Bhojpur, Ara has sent his report attaching photostat copy of order dated 22.5.2015 which goes to show that no order of stay of arrest of the petitioner was passed on 22.5.2015. The order date 29.3.2017 of this record reveals that it was argued on behalf of the petitioner on the aforesaid date that on 22.5.2015 the learned court below had passed order of no coercive and in support of the aforesaid submission, attention of the court was drawn towards photostat copy of order dated 22.5.2015 attached with the record as annexure 2 but it appears from perusal of the aforesaid annexure 2 that one page of another order was placed with two ordersheets and that was the reason the aforesaid confusion arose.

However, learned counsel appearing for the petitioner submits that he has filed the photostat copy of certified copy of order



sheets and, as a matter of fact, certified copy of the orders had been issued in the same way to the petitioner.

So far as merit of the modification petition is concerned, I do not find any merit and accordingly, this modification petition stands dismissed.

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(Hemant Kumar Srivastava,J)

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