

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48860 of 2016

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Dhamendra Thakur @ Dharmendra Thakur S/o Shivji Thakur, Resident of village Purusottampur, P.S. Maniyari, Distt. Muzaffarpur.

.... Petitioner/s

Versus

1. State of Bihar
2. Savita Kumari W/o Dharmendra Thakur, D/o Kameshwar Thakur, Resident of village Kharauna, P.S. Kurdhni, Dist. Muzaffarpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mahendra Thakur, APP

For the Opposite Party/s : Mr. M. Dayal APP

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 08-02-2017 Heard both sides.

The present application seeks modification in the order dated 22.06.2015 passed in Cr. Misc. No. 30912 of 2014 which was modified by order dated 02.03.2016 passed in Cr. Misc. no. 8600 of 2016.

It is stated that by mistake in both the orders complaint case no. was wrongly described, as a result whereof, the petitioner could not appear in the Court below within time. It is stated that the copy of the order, in such circumstances, could not be communicated to the Court below. The mistake being obvious, the Court is inclined to allow the application and modify the order dated 22.06.2015 passed in Cr. Misc. no.30912 of 2014 as well as the order dated 02.03.2016 passed in Cr. Misc. no. 8600 of 2016.



So far as the complaint case no. 4197 of 2013 is concerned, it is clarified that in both the orders in place of complaint case no.4197 of 2013, it shall be read as complaint case no. 772 of 2011.

Since I have modified both the orders, the time granted for surrender under order dated 22.06.2015 is now modified to the effect that the petitioner by virtue of the said order shall surrender in the Court below within three weeks from today.

(Kishore Kumar Mandal, J)

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