

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41728 of 2017

Arising Out of PS. Case No.- Year- Thana- District- Munger

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Tripurari Bhardwaj Son of Janardan Isswar, R/o Village- Mai Bariyapur, P.S.-
Muffasil, District- Munger.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Menka Kumari D/o Amrendra Chaudhary, R/o Village & P.O.- Valana, P.S.-
Parwatta, District- Khagaria.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajit Kumar
		Mr. Sandeep Kumar
For the Opposite Party/s :		Mr. MD. ANSARUL HAQUE
For O.P. No. 2	:	Mr. O.P. Maharaj, Advocate

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 10-01-2018 Heard learned counsels for the parties.

The present application has been filed for modification/recall
of the order dated 15.5.2017 passed in Cr. Misc. No. 25131 of 2016.

Cr. Misc. No. 25131 of 2016 was filed on behalf of petitioner
with a prayer for grant of anticipatory bail in Mahila P.S. Case No. 2
of 2015 registered under Section 498A/34 of the IPC and sections 3
and 4 of Dowry Prohibition Act.

The aforementioned Criminal Miscellaneous application was
permitted to be withdrawn vide order dated 15.5.2017 which reads
as follows:

“Learned counsel for the petitioner seeks
permission to withdraw the application.



Permission is accorded.

Accordingly, the application is dismissed as withdrawn.”

It is jointly submitted by learned counsels for the petitioner and the informant O.P. No.2 that on 15.5.2017, the matter was adjourned for 20.7.2017 but by inadvertence, it was recorded in the order sheet that learned counsel for the petitioner seeks permission to withdraw the application. Accordingly, the application was dismissed as withdrawn. Hence, the present application for modification.

This fact has also been verified by the Court Master from the progress entered into the computer system which suggests that vide order dated 15.5.2017 the matter was adjourned to 20.7.2017.

In the circumstances, the order dated 15.5.2017 passed in Cr. Misc. No. 25131 of 2016 is modified to the extent that the same is hereby recalled.

Let Cr. Misc. No. 25131 of 2016 be listed for Admission.

This modification application stands disposed of.

(Dinesh Kumar Singh, J)

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