

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43194 of 2018
(Arising out of Cr.Misc. No.32055 of 2018)

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Sanjay Mishra @ Sanjay Kumar Mishra, son of Late Ganesh Mishra, R/O
Village-Shokhara, P.S.-Phulwaria, District-Begusarai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Amit Narayan, Advocate Mr. Shyameshwar Dayal, Advocate
For the S t a t e	:	Mr. Akshay Lal Pandit, APP
For the Informant	:	Mr. Anish Kumar No.13, Advocate Mr. Rohit Kumar, Advocate

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 25-07-2018 The present modification application has been filed
for modification of the order dated 28.06.2018 passed in Cr.Misc.
No.32055 of 2018.

It appears that in the earlier criminal miscellaneous application (Cr.Misc. No.32055 of 2018), the petitioner had indicated in his petition that his father was alive. However, without annexing the copy of the death certificate, a prayer has been made to change the name of the bailor. It appears from the *Vakalatnama*, which was filed with the earlier application, that the name of the father was recorded as “Late Ganesh Mishra” and the mistake in the petition is evident from the *Vakalatnama*.

Learned counsel for the petitioner has now filed the present modification application, which has been sworn by his



wife, who has also filed an affidavit, stating that the father of the petitioner had died in the year 2002, but due to unforeseen circumstances, the death certificate could not be prepared and, therefore, the said affidavit is being sworn.

Considering the aforementioned facts and circumstances, let the wife of the present petitioner be one of the bailors instead of his father, who is since deceased.

The modification application stands allowed to the said extent.

(Anjana Mishra, J)

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