

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50741 of 2018

In
Criminal Miscellaneous No.42817 of 2017

Arising Out of Complaint Case No. 1582 of 2015 , District- Samastipur

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Md. Sarfaraz Alam @ Bablu @ Sarfraj Alam, Son of Late Haji Abdul Alim Saheb, presently residing at C.R. 6/272, Lalita Park, Laxminagar, P.S.- Shakarpur, District- East Delhi, resident of village- Debra, P.S.- Jale, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shaziya Talat @ Sajiya Talat @ Shamma, W/o Md. Sarfaraz Alam @ Bablu @ Sarfaraz Alam; daughter of Haji Umar Saheb of Village- Rampur, P.S.- Warisnagar, District- Samastipur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Sri Ashhar Mustafa, Advocate
For the Opposite Party/s : Smt. Asha Devi, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 03-10-2018 Heard Sri Ashhar Mustafa, learned counsel for the petitioner and Smt. Asha Devi, learned Additional Public Prosecutor.

The present petition has been filed with a prayer to modify the order, which was passed long back on 20.09.2017 in Cr. Misc. No. 42817 of 2017. By the said order it was observed that if petitioner appears before the court below within a period of six weeks from the date of order, the court below may consider the prayer for regular bail and pass appropriate order in accordance with law preferably on the same day.

The court is of the opinion that if such prayer is



allowed, it will amount to modification of the earlier order, which is not permissible under Section 362 of the Code of Criminal Procedure, 1973.

The petition stands dismissed.

(Rakesh Kumar, J)

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