

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53886 of 2019

In
CRIMINAL REVISION No.848 of 2015

Arising Out of PS. Case No.- Year-0 Thana- District-

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KUMARI PRIYA @ PRISCILLA PRIYA @ PREMA BHARTI D/o Keshav Prasad C/O Ram Sevak Rai, Sadbhawna Sadan, Resident of Janta, Purani Jakkanpur, P.S.- Gardanibagh, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anup Kumar S/O Sri Deo Kumar Prasad Resident of Village- Rahthosa, P.S.- Brampur, District- Buxar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Sinha
For the Opposite Party/s : Mr.Umesh Lal Verma

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 28-08-2019 This modification application has been filed by the petitioner, who was opposite party no. 2 in Criminal Revision No. 848 of 2015 for modification of order dated 08.05.2019 passed in Cr. Misc. No. 20641 of 2019, by which, opposite party no. 2, who was the petitioner in the aforesaid Criminal Revision to deposit Rs. Ten Lakhs by way of bank draft in favour of opposite party no. 2.

Submission of learned counsel for the petitioner is that she or her counsel was not informed by the opposite party with regard to deposit of the bank draft and by the time, she came to know the three months time has expired and due to



which, she could not withdrew the amount of Rs. Ten Lakhs and thus prayed for modification of order dated 10.04.2019 passed in Cr. Misc. No. 70825 of 2019. It has also been submitted that in the bank draft issued by opposite party no. 2, the name of petitioner has also been wrongly mentioned and there is no mentioned in the account number of petitioner.

Heard learned APP as well as learned counsel for opposite party no. 2. Learned counsel for the opposite party no. 2 has ensured that he will manage to issue the new bank draft in the name of petitioner with her bank account number, if earlier bank draft issued be returned to the opposite party no. 2.

Having heard both sides, in view of the above facts, order dated 10.04.2019 passed in Cr. Misc. No. 70825 of 2019 is modified to the extent that petitioner will return the earlier bank draft to the opposite party no. 2 within a period of two weeks and thereafter, the opposite party no. 2 will deposit the fresh bank draft of Rs. Ten Lakhs in the correct name and account of the petitioner in the court below within a period of one month and the court below shall release the same in favour of the petitioner.

Accordingly, this modification application is allowed.

Let a copy of this order be communicated to the



concerned court below forthwith.

(Vinod Kumar Sinha, J)

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