

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.636 of 2020
In
CRIMINAL MISCELLANEOUS No.55123 of 2019

Arising Out of PS. Case No.-172 Year-2018 Thana- KESARIA District- East Champaran

Shiv Sahni @ Bhutti Sahni Son of Anutha Sahni Resident of Village -
Bhataha, P.S. - Motihari Muffasil, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Naresh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Binod Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

2 24-04-2020 Heard learned counsel Sri Naresh Chandra Verma,

appearing for the petitioner as well as learned Additional Public

Prosecutor Sri Binod Kumar, appearing for the State on the

modification petition filed on behalf of the petitioner.

Learned counsel appearing for the petitioner submits
that petitioner, Shiv Sahni @ Bhutti Sahni, son of Anutha
Sahni, resident of village- Bhataha, P.S. - Motihari Muffasil,
District-East Champaran, Motihari, was granted bail by this
Court vide order dated 27.11.2019 passed in Criminal Misc.
No.55123 of 2019 but when bail bond was furnished on behalf
of the petitioner before the court of the learned Additional



Chief Judicial Magistrate-III, Motihari, East Champaran, it was detected by the concerned Clerk that the petitioner was remanded in Kesariya PS. Case No.172 of 2018 as Shiv Sahni Son of Anup Sahni of village Chailahan, P.S. Muffasil, District East Champaran and due to the aforesaid error, the petitioner could not be released from the judicial custody. Learned counsel appearing for the petitioner submits that the aforesaid circumstance compelled the petitioner to file this modification petition with prayer to modify the order dated 27.11.2019 passed in Criminal Misc. No.55123 of 2019 so that petitioner could be released from custody in the light of order dated 27.11.2019 passed in Criminal Misc. No.55123 of 2019.

Learned Additional Public Prosecutor submits that the alias name may be added in the petition as well as order dated 27.11.2019 passed in Criminal Misc. No.55123 of 2019.

In view of the aforesaid submissions, the order dated 27.11.2019 passed by this Court in Criminal Misc. No. 55123 of 2019 is modified to the extent that the name, parentage and village of the petitioner shall be read as follows:

“ Shiv Sahni @ Bhutti Sahni, son of Anutha Sahni @ Anup Sahni, resident of village- Bhataha @ Chailahan P.S. - Motihari Muffasil, District-East Champaran, Motihari.



The Registry is directed to keep this Criminal Misc. No. 636 of 2020 with the record of Criminal Misc. No.55123 of 2019 and, furthermore, send this order to the court of learned Additional Chief Judicial Magistrate-III, Motihari, East Champarn, in connection with Kesariya P.S. Case No.172 of 2018 through E-Mail as well as through other means available to the Registry for needful.

In the aforesaid manner, Criminal Misc. No. 636 of 2020 stands disposed of.

(Hemant Kumar Srivastava, J)

Spd/-

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