

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6669 of 2021

In
CRIMINAL MISCELLANEOUS No.27841 of 2020

Arising Out of PS. Case No.-185 Year-2019 Thana- SHEOHAR District- Sheohar

DR. KAMLESH KUMAR @ KAMLESH KUMAR Son of Late Ram Bahadur Yadav Resident of village - Madhuahan Brit, P.S.- Rajepur, District - East Champaran. Presently residing at New market, Ganesh Bhawan P.S. and District - Sheohar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Anisur Rahman
For the Opposite Party/s : Mrs. Meena Singh, APP.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 03-02-2021 Learned counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

Heard learned counsel for the petitioner and learned APP for the State.

The present application has been filed for modification of the order dated 04-12-2020 passed in Cr. Misc. No. 27841 of 2020 by which the petitioner was granted anticipatory bail in connection with Sheohar P.S. Case No. 185 of 2019 pending in the court of learned Chief Judicial Magistrate, Sheohar and the petitioner was directed to surrender and furnish bail bonds in the court below within a period of



twelve weeks.

It is submitted on behalf of the petitioner that in the first paragraph of main application of Cr. Misc. No. 27841 of 2020, ***Section-302/120(B)*** of the Indian Penal Code has wrongly been mentioned in place of ***Section 304/120(B)*** of the Indian Penal Code and due to that reason, same mistake occurred in the fifth paragraph of the order dated dated 04-12-2020 passed in Cr. Misc. No. 27841 of 2020, as a result of which, the petitioner could not surrender and furnish bail bonds in the court below well within time. It is further prayed on behalf of the counsel for the petitioner that fifth paragraph of the order dated dated 04-12-2020 passed in Cr. Misc. No. 27841 of 2020, be corrected and further time may be extended so that the petitioner could surrender and furnish bail bonds in the court below.

Considering the submissions made on behalf of the learned counsel for the petitioner, the order dated 04-12-2020 passed in Cr. Misc. No. 27841 of 2020 is modified to the extent that ***Section-302/120(B)*** mentioned in the fifth paragraph of the order be read as ***Section 304/120(B)*** of the Indian Penal Code and the period of surrender of the petitioner in the court below is extended for a further period of six weeks from the date of receipt/production of a copy of this order. The rest of the



conditions shall remain the same as mentioned in the order dated 04-12-2020 passed in Cr. Misc. No. 27841 of 2020.

The modification application is, accordingly, disposed of.

(Sudhir Singh, J)

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