

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 23624 of 2021
In
CRIMINAL MISCELLANEOUS No 39553 of 2020

Arising Out of PS. Case No.-161 Year-2019 Thana- PAROO District-
Muzaffarpur

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AMIT KUMAR SINGH SON OF JITENDRA SINGH Resident of Village -
Teja Dumari, P.S.- Paroo, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Sanjay Kumar, Advocate

For the Opposite Party/s : Mr Ram Sumiran Roy, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 03-06-2021 This case has been taken up today for consideration
through Video Conferencing.

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

Learned counsel for the petitioner draws attention of
the Court towards certified copy of the First Information Report
(for brevity, *FIR*) in which on the top, it has been mentioned as
“in the Court of 17th Additional Sessions Judge, Muzaffarpur,
Sessions Trial No 49 of 2020.” Being misled by the said
certified copy of the FIR, the counsel, in the bail application,
has prayed for release of the petitioner subject to satisfaction of
the 17th Additional Sessions Judge, Muzaffarpur. It is submitted
that just below the said misleading statement, the correct name



of the Court - “ACJM III (West)”, where the petitioner’s trial in Paroo PS case No. 161 of 2019 is pending, has been clearly mentioned but was overlooked due to inadvertence as the certified copy of the FIR had been obtained from the Court of 17th Additional Sessions Judge, Muzaffarpur. The petitioner’s case has not in fact been committed to the Court of Session. In the circumstances, an error has crept in the petition, which has been reflected in the order dated 12.03.2021, allowing the petitioner's prayer for bail but subject to the satisfaction of 17th Additional Sessions Judge, Muzaffarpur, which is erroneous.

Since the petitioner’s case is still pending in the Court of ACJM III (West), Muzaffarpur, instead of 17th Additional Sessions Judge, Muzaffarpur, this Court would modify the order dated 12.03.2021 to be read as “to the satisfaction of ACJM III (West), Muzaffarpur in Paroo PS Case No 161 of 2019” instead of 17th Additional Sessions Judge, Muzaffarpur in Sessions Trial No 49 of 2020”.

This application stands disposed of.

(Madhuresh Prasad, J)

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