

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39930 of 2021

In
CRIMINAL MISCELLANEOUS No.35401 of 2020

Arising Out of PS. Case No.-85 Year-2020 Thana- DAUDNAGAR District- Aurangabad

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BIRU TELI @ BIRU KUMAR Son of Satyendra Prasad Resident of Purani Sahar, Ward No. 8, Daudnagar, P.S. - Daudnagar, District - Aurangabad (Bihar).

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Leelawati Kumari, Advocate
For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 04-08-2021 Heard Ms. Leelawati Kumari, learned Advocate for the petitioner and Mr. Ram Priya Sharan Singh, learned APP for the State.

The petitioner seeks modification of the order dated 25.03.2021 passed in Cr. Misc. No. 35401 of 2020, so far as the name of the court below is concerned.

The name of the court was wrongly typed in the petition as Learned Additional Sessions Judge 7th -cum-Special Judge (Excise), Aurangabad in place of Learned Additional Sessions Judge, II-cum-Special Judge (Excise), Aurangabad.

Let it be read as Learned Additional Sessions Judge, II-cum-Special Judge (Excise), Aurangabad.



Learned counsel for the petitioner has submitted that due to some unavoidable reasons, the petitioner could not surrender within the stipulated time before the court below to take advantage of the order.

For the reasons stated in the application, the prayer for extension of time for surrendering of the petitioner before the court below is allowed.

The order dated 25.03.2021 is modified to the extent that if the petitioner, above named, surrenders before the learned court below within a period of six weeks from today, he will be accorded the privilege under the order dated 25.03.2021 with the same terms and conditions.

With the aforesaid modification, the application stands allowed.

(Ashutosh Kumar, J)

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