

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36530 of 2020

Arising Out of PS. Case No.-280 Year-2018 Thana- CHAUSA District- Madhepura

1. Arun Sharma @ Arun Kumar Mistri, Male, aged about 46 years, Son of Basudev Sharma @ Vishundev Mistri, Resident of Village-Birbal Tola, Ward No. 1, P.S.- Chousa, District-Madhepura.
2. Madhu Kumari, Female, aged about 35 years, Wife of Divakar Prasad Gupta, Resident of Village - Birbal Tola, Ward No. 1, P.S.- Chousa, District - Madhepura.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Shivnandan Sah, Advocate.
For the Opposite Party : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 30-06-2021 The matter has been listed under the heading ‘To Be Mentioned’ at the instance of learned counsel for the petitioners.

Heard learned counsel for the petitioners and learned A.P.P. for the State through Virtual mode.

It has been submitted by learned counsel for the petitioners that in paragraph no. 3 of the order dated 17.04.2021, passed in the present case, due to inadvertent mistake, ‘The petitioners are apprehending their arrest in a case registered under Sections 272, 273 of I.P.C. and Sections 30(a), 36, 41(1) of the Bihar Prohibition and Excise Act, 2016.’ has wrongly been typed in place of ‘The petitioners are apprehending their arrest in a case registered under Sections 304/34 of the I.P.C.’ It



is further prayed that the period of surrender of the petitioners in the court below may be extended.

Considering the same, paragraph no. 3 of the order dated 17.04.2021, passed in the present case, be read as ‘The petitioners are apprehending their arrest in a case registered under Sections 304/34 of the I.P.C.’ in place of ‘The petitioners are apprehending their arrest in a case registered under Sections 272, 273 of I.P.C. and Sections 30(a), 36, 41(1) of the Bihar Prohibition and Excise Act, 2016.’ and the period of surrender of the petitioners in the court below is extended for a further period of eight weeks from the date of receipt/production of a copy of this order. The rest of the conditions stipulated in the order will be same.

The order dated 17.04.2021, passed in the present case, is modified to the extent as indicated above.

Let this order be communicated to the learned court below through e-mail.

(Sudhir Singh, J)

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