

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47446 of 2021

In
CRIMINAL MISCELLANEOUS No.22573 of 2021

Arising Out of PS. Case No.-120 Year-2020 Thana- BABUBARHI District- Madhubani

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BHAWANI DEVI W/o RASLAL RAY R/o VILLAGE-GHONGHAR, P.S.-
BABUBARHI, DISTRICT- MADHUBANI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ratanakar Jha
For the Opposite Party/s : Mr.Mohammed Arif

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-08-2021 Heard learned counsel for the petitioner and learned
counsel for the State through virtual mode.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the Office, within a period
of four weeks after restoration of normalcy.

The present application has been filed for
modification of the order dated 06.07.2021 passed in Cr. Misc.
No. 22573 of 2021 by which the petitioner was granted
anticipatory bail in connection with S.T. No. 110 of 2020 arising
out of Babubarhi P.S. Case No. 120 of 2020 corresponding to
CRI Case No. 827 of 2020 to the satisfaction of learned
Sessions Judge, Madhubani and the petitioner was directed to
surrender in the Court below within a period of twelve weeks.



Learned counsel for the petitioner submits that inadvertently due to typographical error, in paragraph No. 1 and prayer portion of the petition of Cr. Misc. No. 22573 of 2021, the words “learned Sessions Judge, Madhubani” had been typed in place of “learned Addl. Chief Judicial Magistrate-III, Madhubani” and, as such, the same occurred in the order dated 06.07.2021 passed in Cr. Misc. No. 22573 of 2021. It is further submitted that the words “S.T. No. 110 of 2021 arising out of” had also wrongly been typed in the same order which requires deletion.

Considering the statements made in paragraph nos. 3, 4 and 5 of the present modification application and the submission made in support thereof, let the words “S.T. No. 110 of 2020 arising out of” be deleted from the 7th paragraph of the order dated 06.07.2021 passed in Cr. Misc. No. 22573 of 2021 and words “learned Sessions Judge, Madhubani” in the 7th paragraph be corrected to read as “learned Addl. Chief Judicial Magistrate-III, Madhubani”.

Learned counsel for the petitioner further submits that due to the aforesaid reason, the period of surrender may also be extended so that the petitioner could surrender in the Court below.



Considering the above, the period of surrender of the petitioner 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 06.07.2021 passed in Cr. Misc. No. 22573 of 2021 is modified to the extent as indicated above.

The modification application is, accordingly, allowed.

(Sudhir Singh, J)

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