

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53167 of 2021

In
CRIMINAL MISCELLANEOUS No.19474 of 2021

Arising Out of PS. Case No.-74 Year-2020 Thana- CHOUTARWA District- West Champaran

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Akhilesh Majhi @ Akhilesh Manjhi, S/O Arkha Manjhi @ Arasha Manjhi,
R/O Village-Laukaria, Ward No.02, P.S-Jogapatti, District-West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar, Advocate

For the Opposite Party/s : Mr. Binod Kumar No. 2, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 17-11-2021 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Binod Kumar No. 2, learned A.P.P. for the State.

This application has been filed for modification of the order dated 23.07.2021 passed in Cr. Misc. No. 19474 of 2021.

Learned counsel for the petitioner submits that at the time of filing of the regular bail petition before this Court there was no indication anywhere either in the F.I.R. or in the impugned order dated 05.11.2020 with regard to addition of Section 8 of the POCSO Act, consequently the same has not been mentioned in the petition.

Mr. Binod Kumar No. 2, learned A.P.P. for the State has not controverted the submission of learned counsel for the petitioner.



Having regard to the facts and circumstances of this case wherein this Court has been informed that at the time of filing of the regular bail petition before this Court there was no indication anywhere either in the F.I.R. or in the impugned order dated 05.11.2020 with regard to addition of Section 8 of the POCSO Act and as such non mentioning thereof in paragraph '1' of the petition filed before this Court was not deliberate and intentional, this Court allows the modification application.

Let in the 3rd paragraph of the order dated 23.07.2021 at the end Section 8 of the POCSO Act be also added and accordingly in the satisfaction part of the order, in place of "learned ACJM-1st, Bagaha, West Champaran", the designation of the court be read as the court of "learned 7th Additional Sessions Judge-cum-Special Judge, POCSO court, West Champaran, Bettiah".

Rest of the order dated 23.07.2021 passed in Cr. Misc. No. 19474 of 2021 shall remain intact.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

vats/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

