

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57985 of 2021

In
CRIMINAL MISCELLANEOUS No.17845 of 2021

Arising Out of PS. Case No.-586 Year-2020 Thana- NATHNAGAR District- Bhagalpur

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KRISHNA KUMAR Son of Shri Arvind Kumar Resident of Village-
Madhopur, Ward No.4, P.S.- Lalmatiya (Nathnagar), Dist.- Bhagalpur.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Shimpi Kumari @ Anupma Vasuvadhra W/o Krishna Kumar, D/o Anuj Kumar @ Appu Mandal Resident of Mohalla- Sahibganj (Bind Toli), P.O.- Champanagar, P.S.- Lalmatiya (Nathnagar), Dist- Bhagalpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chandrasekhar Sharma
For the Opposite Party/s : Mr.Umeshanand Pandit

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-10-2021 Heard learned counsel for the petitioner and the State.

Learned counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of eight weeks.

The present application has been filed for modification of the order dated 23-07-2021 passed in Cr. Misc. No. 17845 of 2021 by which the petitioner was granted anticipatory bail in connection with Nathnagar P.S. Case No. 586 of 2020 pending in the court of learned District & Sessions Judge, Bhagalpur.

It is submitted on behalf of the petitioner that in the prayer portion of the petition (Cr. Misc. No. 17845 of 2021), “ *learned District & Sessions Judge, Bhagalpur*” has wrongly been typed in place of “*learned Additional Chief Judicial Magistrate-Ist,*



Bhagalpur” and due to that, same mistake occurred in the order dated 23-07-2021 passed in Cr. Misc. No. 17845 of 2021. It is submitted that due to that mistake, the petitioner could not surrender in the court below within the stipulated time.

Considering the submissions made on behalf of the learned counsel for the petitioner and the grounds mentioned in the modification application, the 7th paragraph of the order dated 23-07-2021 passed in Cr. Misc. No. 17845 of 2021 is modified to the extent that ***“learned District & Sessions Judge, Bhagalpur”*** mentioned in the order be read as ***“learned Additional Chief Judicial Magistrate-Ist, Bhagalpur”*** and 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 shall remain the same as mentioned in the order dated 23-07-2021 passed in Cr. Misc. No. 17845 of 2021.

The modification application is, accordingly, disposed of.

(Sudhir Singh, J)

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