

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64306 of 2021**

**In
CRIMINAL APPEAL (SJ) No.3258 of 2021**

Arising Out of PS. Case No.-74 Year-2020 Thana- MAHILA P.S. District- Patna

=====

AVISHEK KUMAR @ AVISHEK KUMAR MALAKAR, aged about 28 years, Gender-M, Son of Late Ranjan Prasad Malakar, R/v- Luxmi Apartment, Munnachak, Flat No.- 404, P.S.- Patrakar Nagar, Distt.- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner : Mr. Vijay Kumar Sinha, Advocate
For the Opposite Party : Mrs. Usha Kumari I, A.P.P.

=====

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER**

2 26-11-2021 Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of eight weeks.

Heard learned counsel for the petitioner and learned counsel for the State through virtual mode.

The present application has been filed for modification of the order dated 23.09.2021, passed in Cr. Appeal (SJ) No. 3258 of 2021, by which the appellant/petitioner was granted anticipatory bail in connection with Mahila P.S.



Case No. 44 of 2020, pending in the court of learned IIIrd Additional Sessions Judge-cum-Special Judge, SC/ST Act, Patna.

Learned counsel for the petitioner submits that due to inadvertent mistake in all places of the order sheet dated 23.09.2021, passed in Cr. Appeal (SJ) No. 3258 of 2021, 'Mahila P.S. Case No. 44 of 2020' has wrongly been mentioned in place of 'Mahila P.S. Case No. 74 of 2020'. It is further submitted that further time may be extended so that the petitioner could surrender in the court below.

Considering the submissions made on behalf of learned counsel for the petitioner and the grounds mentioned in the modification application, let in all places of the order sheet dated 23.09.2021, passed in Cr. Appeal (SJ) No. 3258 of 2021, 'Mahila P.S. Case No. 74 of 2020' should be read and treated in place of 'Mahila P.S. Case No. 44 of 2020' and the period of surrender of the petitioner in the court below is extended for a further period of six 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 23.09.2021 passed in Cr. Appeal (SJ) No. 3258 of 2021, is modified to the extent as indicated above.



The present application is disposed of.

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

(Sudhir Singh, J)

U.K./-

U		T	
---	--	---	--

