

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2472 of 2022

In

CRIMINAL MISCELLANEOUS No.38640 of 2021

Arising Out of PS. Case No.-157 Year-2016 Thana- MAHUA District- Vaishali

Lakhan Rai @ Lakhan Ray, Gender- Male, aged about 80 years, Son of late Shyam Sundar Rai @ late Ram Sundar Rai Resident of Village- Alipur Mukund, P.O.- Hasanpur bhadbas, P.S.- Mahua in the Dist. of Vishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Sunil Kumar, Adv

For the Opposite Party : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 02-02-2022 The matter has been listed today for consideration through Video Conferencing.

Heard learned counsel for the petitioner and learned counsel for the State.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

This application has been filed for modification of the order dated 14.12.2021 passed in Cr. Misc. No. 38640 of 2021 whereby the petitioner has been granted bail in connection with Mahua P. S. Case no. 157 of 2016.

It is submitted that in the First Information Report the petitioner has been described as son of late Ram Sundar Rai. The modification application states that the petitioner's father



correct name is late Shyam Sundar Rai. Apparently, in the First Information report, late Ram Sundar Rai has been mentioned due to inadvertence.

When the order was communicated to the learned Court below, he realized that the name of his father should be followed by a suffix containing the description @ late Ram Sundar Rai and only thereafter he could avail the benefit of the order dated 14.12.2021. It is his submission that due to inadvertence the petitioner has omitted to mention the @ late Ram Sundar Rai in the '*vakalatnama*' as well as in the petition filed earlier which was due to a mistake by office of the learned Counsel.

The learned APP is present through virtual mode. He does not object to such modification.

In view of such submission modification application is allowed. Late Ram Sundar Rai be suffixed after the correct name of petitioner's father late Shyam Sundar Rai in the order dated 14.12.2021.

The order dated 14.12.2021 is modified to that extent only.

shyambihari/-

U		Y	
---	--	---	--

(Madhuresh Prasad, J)

