

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21102 of 2022

In
CRIMINAL APPEAL (SJ) No.828 of 2021

Arising Out of PS. Case No.-36 Year-2015 Thana- DHAKA District- East Champaran

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Nawal Kishor Prasad, aged about 63 years, Gender- Male, Son of Late Rajendra Prasad Resident of Village - Bara Jairam, P.S.- Chiraiya, Distt.- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Madhurendra Kumar, Adv.
For the Opposite Party : Mr. Sujit Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 27-04-2022 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.

The present application has been filed for modifying the order dated 27-08-2021 passed in Cr. Appeal (SJ) No. 828 of 2021. It is submitted that for ensuring compliance with condition No (i), the only relative available is brother-in-law of the appellant.

Considering the aforesaid submissions, this Court would



observe that brother-in-law of the appellant, namely Uma Shankar Prasad may be considered to be a close relative of the appellant for the purposes of compliance of condition No.(i) in order dated 27-08-2021 passed in Cr. Appeal (SJ) No. 828 of 2021, subject to satisfaction of learned Additional Sessions Judge VIIth East Champaran, Motihari, in connection with Sessions Trial No. 642 of 2015, arising out of Dhaka P.S. Case No. 36 of 2015.

The order dated stands modified to the aforesaid extent.

Modification application is allowed accordingly.

(Madhuresh Prasad, J)

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