

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21154 of 2021

In
CRIMINAL MISCELLANEOUS No.36838 of 2013

Arising Out of PS. Case No.-3 Year-2012 Thana- MOHANIYA District- Kaimur (Bhabua)

1. MD. JAVED @ MD. JUBAIR ALAM Son of Md. Yusun Alam @ Md. Yunus Resident of Mohalla- Thakur Lohar ki Gali, Ward No. 12, P.S.- Dumraon, District- Buxar.
2. MR. NAUSHAD ALI Son of Md. Yunus Alam @ Md. Yunus Resident of Mohalla- Thakur Lohar ki Gali, Ward No. 12, P.S.- Dumraon, District- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. BANGALI PASWAN Son of - Resident of Village- Mamadeo, P.O. Kodiram, P.S.- Mohaniya, District- Kaimur (Bhabhua)

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate.
Mr.Pravin Kumar
For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 23-02-2022 Heard.

This application has been filed for modification of order dated 15-01-2014 passed in Cr. Misc. No. 36838 of 2013 passed by a coordinate bench (then His Lordship was) of this court.

The first application for grant of anticipatory bail was preferred vide Cr. Misc. No. 35062 of 2012 and the same was disposed of by order dated 18-09-2012. Thereafter, the petitioners preferred modification of the said order vide Cr.



Misc. No. 50857 of 2012. The said modification application was disposed of vide order dated 09-01-2013. Thereafter, second modification application was filed vide Cr. Misc. No. 36838 of 2013 for modification of order dated 09-01-2013 and that modification application was also disposed of by order dated 15-01-2014. Now the present application is third modification application seeking modification of order dated 15-01-2014 passed in Cr. Misc. No. 36838 of 2013.

Considering the aforesaid facts and circumstances, in my considered opinion, the present application is nothing but an abuse of process of court.

After some argument, learned senior counsel for the petitioners seeks permission to withdraw the present application.

Permission is accorded.

Accordingly, the present modification application is dismissed as withdrawn.

(Sudhir Singh, J)

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