

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36367 of 2022

In
CRIMINAL MISCELLANEOUS No.30349 of 2021

Arising Out of PS. Case No.-21 Year-2019 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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KIRAN DEVI W/O SRI RAVINDRA KUMAR SAH Resident of Mahila
College Road, Ganga Sagar Chauk, Ward No.- 8, P.S.- Madhubani, District-
Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar
2. RAJIV KUMAR SAH S/O LATE LAL PRASAD GUPTA Resident of
Mohalla.- Station Road, P.S.- Jay Nagar, District- Madhubani.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-07-2022 Heard learned counsel for the petitioner and learned

APP for the State.

This application has been filed by the petitioner for
modification of order dated 26.04.2022 passed in Cr. Misc. No.
30349 of 2021 passed in connection with C.R. Case No. 21 of
2019 pending in the Court of learned Judicial Magistrate, Ist
Class, Madhubani, whereby petitioner was allowed anticipatory
bail and was directed to surrender in the court below within a
period of four weeks from the date of the order but the petitioner
could not furnish the bail bond within the time stipulated.

Learned counsel appearing for the petitioner submits



that due to typing error in first paragraph of petition of Cr. Misc. No. 30349 of 2021 in place of “Sections 406 and 504 of the I.P.C.” it has wrongly been typed as “Sections 406 and 505 of the I.P.C.”, and due to above stated error, the same error has occurred in order dated 26.04.2022 passed in Cr. Misc. No. 30349 of 2021, and as such, the petitioner could not surrender before the court below.

In view of the aforesaid submission, in order dated 26.04.2022, in place of “Sections 406 and 505 of the I.P.C.” it be read as “Sections 406 and 504 of the I.P.C.” and accordingly order dated 26.04.2022 stands modified to the above stated extent.

Let also the period of surrender as per order dated 26.04.2022 passed in Cr. Misc. No. 30349 of 2021 be extended by further four weeks from the date of this order. Rest part of the order shall remain intact.

Accordingly, this petition is allowed.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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