

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24357 of 2023

In
CRIMINAL MISCELLANEOUS No.43631 of 2022

Arising Out of PS. Case No.-113 Year-2022 Thana- JAMUI District- Jamui

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MILEE DEVI @ MILI DEVI Wife of Sri Nand Kishore Mishra R/V-
Harnaha, PS and Dist- Jamui, Permanent address is village- Nawkadih, PS-
Lakshmipur, Dist-Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prakash Mahto, Advocate
For the Opposite Party/s : Mr. Satya Nand Shukla, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioner submits that the
petitioner was granted anticipatory bail by order dated
22.12.2022 in Cr. Misc. No. 43631 of 2022. It is next submitted
that the petitioner had time to surrender till 6.02.2023.

Learned counsel next submits that the present
modification application was filed on 9.01.2023. Learned
counsel next submits that in Cr. Misc. No. 43631 of 2022,
inadvertently, in place of the address of the petitioner, the
address of the deponents who had sworn the affidavit was
recorded, it is thus submitted that since the address of the



petitioner was wrongly recorded in Cr. Misc. No. 43631 of 2022, as such, the petitioner could not have surrendered, realizing the bonafide mistake, the petitioner well within time preferred the present modification application seeking modification of the order dated 22.12.2022 in Cr. Misc. No. 43631 of 2022. Learned counsel next submits that in Cr. Misc. No. 43631 of 2022, the petitioner was described as Milee Devi @ Mili Devi, wife of Nand Kishore Mishra q resident of Village - Mahsaura, P.S. Ramgarh Chowk, District – Lakhisarai, when the petitioner ought to have been described as Milee Devi @ Milee Devi, Wife of Nand Kishore Mishra, resident of Village- Harnaha, P.S. and District- Jamui, permanently residing at village- Nawkadih, P.S. Lakshmipur, District-Jamui.

Learned counsel next submits that the present modification application has been filed seeking modification of the order dated 22.12.2022 in Cr. Misc. No. 43631 of 2022 to modify the order to describe the petitioner as Milee Devi @ Milee Devi, Wife of Nand Kishore Mishra, resident of Village- Harnaha, P.S. and District- Jamui, permanently residing at village- Nawkadih, P.S. Lakshmipur, District-Jamui.

Learned A.P.P. does not oppose the prayer of the petitioner.



In view of the submissions made by the learned counsel for the petitioner, the order dated 22.12.2022 in Cr. Misc. No. 43631 of 2022 is modified to the extent indicated above.

In the event, if the petitioner surrender on or before 18.05.2023, her bail bonds shall be accepted on the same terms and conditions as recorded in order dated 22.12.2022 in Cr. Misc. No. 43631 of 2022

(Satyavrat Verma, J)

GauravSinha/-

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