

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46541 of 2023

In
CRIMINAL MISCELLANEOUS No.15560 of 2021

Arising Out of PS. Case No.-246 Year-2020 Thana- BAHERI District- Darbhanga

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RAMANJEE YADAV SON OF RAM BALAK YADAV RESIDENT OF
VILLAGE- DURGICHAK, PS- BAHERI, DIST- DARBHANGA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajendra Prasad Yadav, Advocate

For the Opposite Party/s : Mr. Harendra Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-08-2023 This petition has been filed for modification of order dated 11.02.2022 passed in Cr. Misc. No. 15560 of 2021 whereby bail of the petitioner was rejected considering the facts that processes under Sections 82 & 83 of the Cr.P.C. had already been initiated against the petitioner and victim was minor at the time of incident, as per her statement, recorded under Section 164 of the Cr.P.C.

2. Learned counsel for the petitioner submits that earlier order dated 11.02.2022 was passed without waiting for the interrogation report, which was received after three days of the hearing date. Therefore, he prays that the said order be recalled and fresh order be passed, after perusal of the interrogation report and the case diary.



3. Learned A.P.P. for the State opposes the application and submits that since order dated 11.02.2022 was passed keeping in view the fact that processes under Sections 82 & 83 of the Cr.P.C. had been initiated against the petitioner, there is no merit in this application.

4. In view of the aforesaid facts and circumstances, order dated 11.02.2022 passed in Cr. Misc. No. 15560 of 2021 is not required to be modified. This modification petition is, accordingly, dismissed..

(Prabhat Kumar Singh, J)

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