

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.18707 of 2023**

**In**  
**CRIMINAL MISCELLANEOUS No.68012 of 2021**

Arising Out of PS. Case No.-140 Year-2019 Thana- DEWARIA District- Muzaffarpur

PRABIN KUMAR THAKUR S/O LATE SUNIL KUMAR THAKUR  
Resident of Village- Fatehpur, P.S.- Pandaul, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar
2. THE SECRETARY, BIHAR SCHOOL EXAMINATION BOARD PATNA.  
BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Prakash Chandra Jha  
For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      22-03-2023                      Heard learned counsel for the parties.

This application has been filed for modification of order dated 17.01.2022 passed in Cr.Misc. No. 68012 of 2021 to the extent of exclusion of condition to refund emoluments received during tenure as Primary School Teacher in 24 installments and extension of period of surrender.

However, after some argument, learned counsel for the petitioner undertakes to refund emoluments, as per aforesaid order, and requests for granting reasonable time to surrender before the court below.

In view of aforesaid facts and circumstances as also undertaking of learned counsel for the petitioner that petitioner



would refund the emoluments received during tenure as Primary Teacher in 24 (twenty four) installments, in view of earlier order, further eight weeks time from today is granted to the petitioner to surrender before the court below, failing which, the learned court below would be at liberty to take coercive step against this petitioner.

Accordingly, order dated 17.10.2022 passed in Cr.Misc. No. 68012 of 2021 is modified to the above extent only and other condition, as stated in the order, shall remain operative. With this observation, this modification petition is allowed.

**(Prabhat Kumar Singh, J)**

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