

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32899 of 2023

In
CRIMINAL MISCELLANEOUS No.42233 of 2019

Arising Out of PS. Case No.-245 Year-2017 Thana- SIMRI District- Buxar

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KRISHNA PRAKASH PATI TRIPATHI @ KRISHNA PRAKASH
TRIPATHI S/O GIRIJAPTI TRIPATHI Resident of village- Pindi Deoria,
P.S.- Deoria, District- Deoriya (U.P).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Digvijay Kumar Ojha
For the Opposite Party/s : Mr. Yogendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

11 13-03-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The learned counsel for the petitioner submits that
the present modification application has been filed seeking
modification of the order dated 19.02.2021 in Criminal
Miscellaneous No. 42233 of 2019 passed by a learned Co-
ordinate Bench whereby the petitioner was directed to surrender
within a time frame but before that the petitioner had to pay an
amount of Rs. 2,50,000/- to the informant, it appears that the
petitioner did not pay the amount to the informant within the
time stipulated in the order dated 19.02.2021, as such, he could
not surrender, but two years thereafter the present modification



application has been filed seeking extension of time of the period of surrender by modifying the order dated 19.02.2021 in Criminal Miscellaneous No. 42233 of 2019.

3. The learned APP for the State submits that the petitioner is moving at his leisure and in the event if the petitioner was not able to return the amount as agreed to the O.P. No. 2 within the time stipulated for any reason, the petitioner could have approached this Court before the time for surrendering was expiring, but then the petitioner chose not to take any step and at his leisure moved in the year 2023.

4. Considering the submission made by the learned APP for the State, the Court is not inclined to allow the modification application.

5. Accordingly, the modification application is rejected.

(Satyavrat Verma, J)

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