

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75359 of 2023

In
CRIMINAL MISCELLANEOUS No.17773 of 2023

Arising Out of PS. Case No.-291 Year-2021 Thana- CHHATAPUR District- Supaul

BIJENDRA MEHTA @ VIJAY MEHTA SON OF TETAR MEHTA
RESIDENT OF VILLAGE- TAMUA TINTANGI, PS- CHHATAPUR
(RAJESHWARI O.P.), DISTT- SUPAUL

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 12-01-2024 Heard the parties.

2. Earlier in Cr. Misc. No. 17773 of 2023, the petitioner was granted relief under section 438(2) of the Cr.P.C. vide an order dated 25.05.2023.

3. However, belatedly, the present modification petition has been preferred stating that the petitioner had wrongly incorporated the name of his father as Janardan Mehta as also his village, it has been submitted in paragraph no. 5 that actually his details are follows:-

*“Bijendra Mehta @ Vijay Mehta son of
Tetar Mehta, Resident of village- Tamua Tintangi,
P.S.- Chhatapur (Rajeshwari O.P.), District-
Supaul.”*



4. He submits that for the said lack on his part, he is ready to pay Rs. 5,000/- to Bihar State Legal Services Authority within a period of two weeks from today.

5. Though the modification petition has been preferred belatedly and is fit to be rejected, taking into account the earlier relief was extended to him, the modification petition is allowed and further the period of surrender before the concerned Court is extended by next four weeks subject to payment of Rs. 5,000/- as stated above.

6. The Cr. Misc. No. 75359 of 2023 stands disposed of.

(Rajiv Roy, J)

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