

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72924 of 2022

In
Criminal Writ Jurisdiction Case No.698 of 2021

Arising Out of PS. Case No.-708 Year-2019 Thana- KHAGARIA District- Khagaria

M/S GSCO Infrastructure Pvt. Ltd. S.C.O.-67 Sector-20C Chandigarh through its M.D namely Gurmeet Singh, Son of Bakhtwar Singh, Resident of Mohalla- Sector-33B, P.S.- Sector-19, Chandigarh, District- Chandigarh-160020

... .. Petitioner

Versus

1. The State of Bihar Superintendent of Police, Khagaria
2. The Superintendent of Police, Khagaria
3. The Deputy Superintendent of Police, Khagaria
4. The Officer-in-charge of Chitragupt Nagar Police Station, Khagaria
5. The Investigating Officer of Chitragupt Nagar Khagaria P.S. Case No.-708 of 2019
6. The Executive Engineer, Flood Control Division-1, Khagaria

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Vikas Kumar, Advocate
For the Opposite Party/s : Mr. Satyendra Narayan Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 23-02-2024 Heard learned counsel for the petitioner and Mr. Satyendra Narayan Singh, learned counsel for the State.

2. It appears that the criminal writ application which was filed under Article 226 of the Constitution of India has been dismissed when learned counsel for the petitioner was not present. He is virtually looking for the recall of the said order and hearing of the criminal writ application on its own merit but the present application has been filed under Section 482 CrPC and a prayer has been made for modification of the order passed



in the criminal writ jurisdiction.

3. As the Court is not persuaded to entertain Section 482 application that too seeking modification, learned counsel for the petitioner seeks permission to allow him to convert it into an application under Article 226 for review/recall of the order dated 19.09.2022 passed in Cr.WJC No. 698 of 2021.

4. He is permitted to do so.

5. The Registry shall take appropriate steps to do the stamp report and upon removal of the defects by learned counsel for the petitioner, the application shall be listed as per roster.

(Rajeev Ranjan Prasad, J)

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