

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83981 of 2023

In
CRIMINAL MISCELLANEOUS No.13256 of 2022

Arising Out of PS. Case No.-194 Year-2021 Thana- GAYA MUFASIL District- Gaya

Bhuvneshwar Yadav S/O Late Lila Yadav R/O Village- Sudheri, Tola
Murkatta, Manjhauli, P.S- Muffasil, Distt.- Gaya.

... .. Petitioner/S

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shubhangi Pandey, Advocate
For the Opposite Party/s	:	Mr. Navin Kumar Pandey, APP
For the Informant	:	Mr. Ravi Prakash, Advocate
		Mr. Gagandev Yadav, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 12-01-2024 Heard learned counsel appearing on behalf of the parties.

2. This modification application has been filed seeking modification of the order dated 06.09.2022 passed in Cr. Misc. No. 13256 of 2022.

3. It is submitted by learned counsel that the petitioner has already paid Rs. 4,73,000/- (Rupees Four Lakh and Seventy Three Thousand Only) to informant and the endorsement of the same is available in Para-6 of the case diary and in view of the same the order dated 06.09.2022 be modified.

4. Learned counsel appearing for the informant submitted that this fact was already taken into consideration,



while passing the order dated 06.09.2022 and only thereafter, on the submission of the learned counsel appearing for the petitioner that he received Rs. 5,11,000/- (Rupees Five Lakh and Eleven Thousand Only), the order dated 06.09.2022 was passed and as such the present submission cannot be taken as ground for present modification.

5. In view of aforesaid submissions, the present ground, as raised is not appearing convincing, *prima facie*, to consider modification of the order dated 06.09.2022, as same is amounting to import a new fact, owing to financial liabilities, which has already admitted.

6. Accordingly, the present modification petition stands rejected.

(Chandra Shekhar Jha, J)

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