

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4292 of 2016

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1. Chandan Das
2. Raj Kumar Das Both sons of Ganesh Das
3. Ganesh Das, son of Late Dasai Das
4. Ranjana Devi @ Rajni Devi, Wife of Ganesh Das, All residents of village- Raxaul Koiriya Tola, P.S.- Raxaul, District- East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Adv.

For the Opposite Party/s : Mr. Bharat Lal (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-02-2016 Heard learned counsel for the petitioners and for the State.

The present application has been filed for modification of order dated 02.11.2015 passed in Cr. Misc. No. 45863/2015 to the extent that the condition with regard to the verification of the criminal antecedent of the petitioners, as the petitioners were directed to be released on anticipatory bail in connection with Raxaul P.S. Case. No. 173 of 2015 pending in the Court of learned Sub-Divisional Judicial Magistrate, Raxaul Motihari, East Champaran. Hence, on the basis of the statement in para 3 of the petition that the petitioners have no criminal antecedent the bail bonds should be accepted, but subsequently, the counsel for the

petitioners came to know that petitioner no. 1 Chandan Das and petitioner no. 3 Ganesh Das were having involved in one case each.

Considering the fact that anticipatory bail was granted on the basis of statement of criminal antecedent, this court is not inclined to modify the order dated 02.11.2015 of anticipatory bail of petitioners no. 1 and 3 passed in Cr. Misc. No. 45863 of 2015 is hereby consigned.

It is expected from the learned court below to consider the prayer for regular bail of petitioners no. 1 and 3, keeping in view of the facts that on merits they were granted anticipatory bail, if they surrender within a period of six weeks and pray for regular bail in connection with Raxaul P.S. Case. No. 173 of 2015 pending in the Court of learned Sub-Divisional Judicial Magistrate, Raxaul Motihari, East Champaran.

Accordingly this modification application is disposed of.

(Dinesh Kumar Singh, J.)

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