

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49977 of 2016

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1. Md. Mansoor Master @ Md. Mansoor Alam, Son of Late Hafijuddin,
Resident of Village- Balbat, P.S. Tarabari, District- Aararia

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rana Pratap Singh

For the Opposite Party/s : Mr. Sri Ajay Kumar-1

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO

ORAL ORDER

2 23-11-2016 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner has filed this criminal miscellaneous
application for modification/recall of the order dated 06.10.2016.

The learned counsel for the petitioner submitted that in
the last paragraph of the order dated 06.10.2016 passed by this
Court in Cr. Misc. No.41704 of 2016, it was observed by this
Court that the petitioner has incorrectly stated that he has no
criminal antecedent although, he is an accused in Araria P.S. Case
No.491 of 2002, relying on the submission of the learned counsel
for the informant. According to the learned counsel, he has already
been acquitted by the judgment dated 26.08.2008 passed by
Additional District & Sessions Judge, F.T.C. I, Araria in Sessions

Trial No.111 of 2005/Tr. No.10 of 2008. The judgment is Annexure 5 to this criminal miscellaneous application.

Perused the record. It appears that petitioner has already been acquitted. Therefore, it was wrongly submitted by the informant that the petitioner suppressed this fact and, therefore, the observation made by this Court in the last paragraph of order dated 06.10.2016 appears to be a mistake only.

Therefore, that part of the said paragraph where it is observed that the petitioner incorrectly stated that he has no criminal antecedent although, he is an accused in Araria P.S. Case No.491 of 2002 only is hereby modified. However, so far other part of the order is concerned, it will not make any difference as the bail has been rejected on merit.

Accordingly, this criminal miscellaneous application stands allowed and the part of order aforesaid is modified to the extent indicated above.

(Mungeshwar Sahoo, J)

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