

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3065 of 2016

=====

1. Sk. Darood son of late Jaimul
2. Sk. Bagar @ Sk. Bagad son of Sk. Darood
3. Sk. Akhtar son of Sk. Kamil All are residents of Village - Purnainiya,
P.S. - Balthar, District - West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Akhileshwar Kumar Shrivastva

For the Opposite Party/s : Mr. Pushpa Sinha (App)

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 10-02-2016 Heard learned counsel for the petitioners and learned
counsel appearing on behalf of the State.

By way of this modification application, the petitioners seeks modification in order dated 02.11.2015, passed by this Court, by which this Court after considering all the aspects of the matters, had extended the privilege of anticipatory to the petitioners of the case therein. It is submitted that the said order was a conditional order and it had been made clear that while granting bail, the court below shall require to ascertain the antecedents of the petitioners as the learned counsel for the informant had made a categorical assertions that most of the petitioners were having several criminal antecedents. However, in the bail application, the petitioners have denied the fact of their

having any criminal antecedents. After passing of the said order, nine of the petitioners, who surrendered before the Court below, it was found that they were not having any criminal antecedents and they have been released. However, so far as the present three petitioners are concerned, the Court below came to the conclusion that these petitioners were not having a clean past and were having several cases behind them and as such the prayer for anticipatory bail was not considered.

Learned counsel appearing on behalf of the informant submits that this fact had been duly pointed out to this Court earlier, whereupon, the said condition in the last paragraph of the order was imposed.

Having heard both the parties, this Court is of the view that the conditions imposed earlier cannot be modified and thus the present modification application stands dismissed.

(Anjana Mishra, J)

sunil/-

U		T	
---	--	---	--