

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5851 of 2017

Arising Out of PS.Case No. -639 Year- 2016 Thana -KANKARBAGH District- PATNA

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JITENDRA KUMAR @ JIVAK @ JITENDRA KUMAR JIVAK, Son of
Sri Surendra Prasad, Resident of Ashok Nagar, P.S. - Rajgir, District -
Nalanda.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

3 10-04-2017 This case has been listed under the heading “To Be
Mentioned” at the instance of the learned counsel for the
petitioner.

It appears that vide order dated 21.03.2017 passed by
this Court, the petitioner, above named, was directed to be
released on bail, in the event of his arrest or surrender before the
learned court below within a period of six weeks from that date,
on furnishing bail bond of Rs.10,000/-(ten thousand) with two
sureties of the like amount each to the satisfaction of the Judicial
Magistrate, First Class, Patna, in connection with Kankarbagh P.S.
Case No.639 of 2016, subject to the condition as laid down under
Section 438(2) of the Code of Criminal Procedure.



The submission on behalf of the petitioner is that while it has been stated in paragraph-8 to the supplementary affidavit filed on behalf of the petitioner that the petitioner has criminal antecedent of one case bearing Kankarbagh P.S. Case No.456 of 2015 instituted for the offence under Sections 406 and 420/34 of the Indian Penal Code and Section 138 of the Negotiable Instrument Act and in that case, the petitioner is on bail but, inadvertently, at paragraph-4 of the aforesaid order dated 21.03.2017 passed by this Court, in the submission of the learned counsel for the petitioner, it has been mentioned that the petitioner has no criminal antecedent.

In that view of the matter, at paragraph-4 of the aforesaid order dated 21.03.2017 passed by this Court, in the submission of the learned counsel for the petitioner, in place of “that the petitioner has no criminal antecedent” the same be read as “while the petitioner is accused in one case bearing Kankarbagh P.S. Case No.456 of 2015 instituted for the offence under Sections 406 and 420/34 of the Indian Penal Code and Section 138 of the Negotiable Instrument Act but, in that case, the petitioner is on bail, as detailed in paragraph-8 to the supplementary affidavit filed on behalf of the petitioner.”

The order dated 21.03.2017 passed by this Court is



modified to the aforesaid extent only.

(Rajendra Kumar Mishra, J)

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