

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2653 of 2019
In
Criminal Miscellaneous No.73986 of 2018

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Dilkhush Kumar Garib Paswan Resident of village-Peer Nagar, P.S-Beldaur
District-Khagaria

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Naresh Prasad

For the Opposite Party/s : Mr.Ram Bachan Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 21-02-2019 Heard learned counsel for the State as well as learned
counsel for the petitioner.

By way of present modification application, the petitioner seeks to modify the order dated 17.12.2018 passed in Cr. Misc. No. 73986 of 2018, by which, the application of the petitioner for grant of bail was disposed of with direction to court below to verify the criminal antecedent of the petitioner and if it is found that petitioner has no criminal antecedent, the court below shall release the petitioner on bail to his own satisfaction.

Submission of learned counsel for the petitioner is that while arguing the case for grant of bail of the petitioner in Cr. Misc. No. 73896 of 2018, submission was made that



petitioner has no criminal antecedent, however, the deponent later on, came to know that the petitioner is accused in one more case being Basnahi P.S. Case No. 62/2018 for the offences punishable under Section 30 (a) of the Bihar Prohibition and Excise Act, in which, he has been granted the privilege of bail by another coordinate Bench of this Court vide order dated 13.12.2018 passed in Cr. Misc. No. 72653 of 2018 and due to the mistake on the part of the deponent, the criminal antecedent of the petitioner could not be brought on record.

Having heard both sides, in view of the above facts, order dated 17.12.2018 passed in Cr. Misc. No. 73986 of 2018 is modified to the extent that the petitioner is accused in one more case. Other parts of the order shall remain intact.

Accordingly, this modification application is allowed.

Let this order be communicated to the concerned court below forthwith.

(Vinod Kumar Sinha, J)

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