

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16996 of 2019

Arising Out of PS. Case No.-9 Year-2018 Thana- BETTIAH CITY District- West Champaran

1. Dinanath Prasad @ Dina Prasad Gupta, son of late Shivrath Prasad Gupta, resident of Village-Laduramgola, Goldarpatti, Ward No.-2, P.S. - Bettiah Town, Distt - West Champaran.
2. Ankit Kumar, son of Dinanath Prasad @ Dina Prasad Gupta, resident of Village-Laduramgola, Goldarpatti, Ward No.-2, P.S.-Bettiah Town, Distt - West Champaran.
3. Ankur Kumar, son of Dinanath Prasad @ Dina Prasad Gupta resident of Village-Laduramgola, Goldarpatti, Ward No.-2, P.S.-Bettiah Town, Distt - West Champaran.
4. Prema Devi, wife of Dina Prasad, resident of Village-Laduramgola, Goldarpatti, Ward No.-2, P.S.-Bettiah Town, Distt - West Champaran.
5. Shobha Devi, wife of Prem Prasad, resident of Village-Laduramgola, Goldarpatti, Ward No.-2, P.S.-Bettiah Town, Distt-West Champaran.
6. Golu Kumar, son of Prem Prasad, resident of Village-Laduramgola, Goldarpatti, Ward No.-2, P.S.-Bettiah Town, Distt-West Champaran.
7. Nishu Kumar, son of Prem Prasad, resident of Village-Laduramgola, Goldarpatti, Ward No.-2, P.S.-Bettiah Town, Distt - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra
For the Opposite Party/s : Mr. Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 10-04-2019 The petitioner seeks modification of the order dated 27.03.2019 to the extent that the statement made therein that the petitioners have not misused of police bail during the pendency of the investigation, be read as "that the petitioners were given the privilege under Section 41(1)



of the Code of Criminal Procedure during the course of investigation and they never misused the privilege thereunder”.

The order dated 27.03.2019 is modified accordingly.

Let the 3rd paragraph of the order dated 27.03.2019 be read as “the petitioners, it has been submitted did not misuse the privilege which was granted to them under Section 41(1) of the Code of Criminal Procedure during the course of investigation.

The order dated 27.03.2019 stands modified to the extent indicated above.

The present modification petition stands allowed.

(Ashutosh Kumar, J)

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