

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20879 of 2019

In
CRIMINAL MISCELLANEOUS No.428 of 2019

Arising Out of PS. Case No.-84 Year-2017 Thana- GOH District- Aurangabad

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1. SHAILESH PASWAN Son of Late Tetar Paswan Resident of Village- Ghajna, P.S.- Goh, District- Aurangabad (Bihar)
 2. Jairam Paswan Son of Late Tetar Paswan Resident of Village- Ghajna, P.S.- Goh, District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar Pandey
For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 04-04-2019 The present application has been filed for
modification of the order dated 4.2.2019 passed by this court in
Cr. Misc. No. 428 of 2019.

The Court granted bail to the petitioner no.1 whereas
on the statement of the learned counsel for the petitioners in
para-3 of the bail application, the Court noted that petitioner
no.2 has criminal antecedent and as such the Court rejected the
prayer for bail of petitioner no.2.

Today an application has been filed to indicate that
under misconception of fact that statement was made in Cr.
Misc. No. 428 of 2019. In fact, even against petitioner no.2
there was no criminal antecedent and as such the petitioner no.2



deserves bail.

Considering the statement in the present application, the order dated 4.2.2019 passed in Cr. Misc. No. 428 of 2019 is modified. The petitioner no.2 namely, Jairam Paswan is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Daudnagar, Aurangabad, in connection with Goh P.S. Case No. 84 of 2017 subject to the verification of the fact by the court below that there was no criminal antecedent against petitioner no.2, namely Jairam Paswan, son of late Tetar Paswan, Resident of Village- Ghajna, P.S.- Goh, District- Aurangabad.

In the event, the statement as to the criminal antecedent is found incorrect, the court below shall not release the petitioner, namely, Jairam Paswan.

With the aforesaid, the modification application stands allowed.

(Anil Kumar Upadhyay, J)

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