

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19406 of 2020
In
CRIMINAL MISCELLANEOUS No.7667 of 2020

Arising Out of PS. Case No.-67 Year-2019 Thana- SATHI District- West Champaran

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SUNIL MUKHIYA, 30 Y/M, Son of Sri Sitaram Mukhiya, Resident of Village-Basantpur, P.S.-Sathi, District-West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Umesh Chandra Verma, Advocate

For the Opposite Party : Mrs.Veena Rani Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-12-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned counsel for the State.

The present application has been filed for modification of the order dated 18.02.2020 passed in Cr. Misc. No. 7667 of 2020.

Learned counsel for the petitioner submits that due to inadvertence and communication gap, at paragraph no. 3 of the main bail application being Cr. Misc. No. 7667 of 2020, it is



wrongly mentioned that the petitioner has been made accused in two more cases as to when the petitioner has been made accused in six cases besides the present one. For that reason, in paragraph no. 2 of the order dated 18.02.2020 passed in Cr. Misc. No. 7667 of 2020, order has been passed as “Apart from that petitioner is accused in two more cases of similar nature”.

Considering the submissions made on behalf of learned counsel for the petitioner and the grounds mentioned in the modification application, in paragraph no. 2 of the order dated 18.02.2020 passed in Cr. Misc. No. 7667 of 2020, it should be read as “Apart from that petitioner is accused in six cases besides the present one” in place of “Apart from that petitioner is accused in two more cases of similar nature”.

Further, it is made clear that the court below is to verify the criminal antecedents of the petitioner and if it is found that he is accused in only six cases, besides the present one, the court below will release the petitioner on bail to his own satisfaction, otherwise, he is free to pass the order as he deems fit and proper.

The order dated 18.02.2020 passed in Cr. Misc. No. 7667 of 2020, is modified to the extent as indicated above.

The present application is disposed of.



Let this order be communicated to the learned court
below through e-mail.

(Sudhir Singh, J)

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