

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24769 of 2020

In
CRIMINAL MISCELLANEOUS No.8288 of 2020

Arising Out of PS. Case No.-583 Year-2019 Thana- GAYA KOTWALI District- Gaya

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ARVIND KUMAR @ KAUA @ ARVIND PASWAN @ KOWA Son of Late
Puna Paswan @ Late Mosawa Resident of Village- Murli Hill, Pahad, P.S.-
Kotwali, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh
For the Opposite Party/s : Mr.Panchanand Pandit

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 25-09-2020 As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsel are appearing and making submissions from their residence. The Court master and Secretary are also part of this virtual Court proceedings with the aid of audio visual technology.

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

The instant application has been filed for modification of order dated 28.02.2020 passed in Cr. Misc. no. 8288 of 2020, by which petitioner has been granted anticipatory bail in



connection with Kotwali P.S. Case no. 583 of 2019 to the satisfaction of the learned Special Judge Excise Act, Gaya.

It is submitted by the petitioner's counsel that the Aadhar card of the petitioner shows the name of his father as "Puna Paswan", resident of Murli Pahadi, Gaya, whereas in the FIR, the same has been mentioned as "late Mosawa".

On account of this discrepancy, the petitioner is not in a position to reap the benefit of order dated 28.02.2020 passed in Cr. Misc. no. 8288 of 2020. It is further submitted that name Puna Paswan may be mentioned as "alias name of the petitioner's father" "late Mosawa" to enable him to reap the benefit of his bail order. In support of his prayer he has annexed copy of petitioner's Aadhar card (Annexure-2), wherein, his father's name has been mentioned as "Puna Paswan".

Considering the aforesaid submissions, this Court would observe that the name of the petitioner's father "Puna Paswan" be read as "alias name" so as to enable him to reap the benefits earlier granted to him.

In view thereof, four weeks' further time is granted to the petitioner to surrender before the court below and in that event, the court below will release the petitioner on bail as per terms and conditions mentioned in the order dated 28.02.2020 passed



in Cr. Misc. no.8288 of 2020.

The modification petition is accordingly allowed.

(Madhuresh Prasad, J)

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