

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81777 of 2019

In
CRIMINAL MISCELLANEOUS No.51401 of 2019

Arising Out of PS. Case No.-57 Year-2019 Thana- SINGHIYA District- Samastipur

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1. DEEPAK KUMAR SINGH Son of Late Ram Nandan Singh Resident of Village- Mahe, P.S.- Singhia, District- Samastipur.
 2. Bipin Kumar Singh S/o Late Ram Nandan Singh Resident of Village- Mahe, P.S.- Singhia, Dist- Samastipur.
 3. Gaurav Kumar Singh Son of Deepak Kumar Singh Resident of Village- Mahe, P.S.- Singhia, District- Samastipur.

... .. Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr.Jitendra Narain Sinha, Advocate

For the Opposite Party : Mr.Pawan Kr Chaurasia, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-01-2020 Modification application has been filed to modify order dated 16.11.2019, passed by this Court in Cr.Mis.No. 51401 of 2019.

By the aforesaid order, petitioners no. 2 and 3 had been allowed pre-arrest bail, whereas prayer for pre-arrest bail of petitioner no.1 had been refused on the ground that he was accused in one another case also.

It is submitted on behalf of the petitioner that by slip of pen wrong fact had been typed in the bail petition that the petitioner was accused in one another case also, which mistake has crept in the order dated 16.11.2019. It is submitted that the petitioner has got no criminal antecedent. A copy of the FIR, in which petitioner no.1 had been said to be the accused in the bail petition, is annexed to the modification petition.

In view of the aforesaid submission, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within



six weeks from today, let the petitioner, mentioned above, 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 the Additional Chief Judicial Magistrate V, Rosera, Samastipur in Singhia Police Station Case No. 57 of 2019, on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

Order dated 16.11.2019 is modified to the extent indicated above.

Modification application stands disposed of.

(Prabhat Kumar Singh, J)

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