

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.47802 of 2021**

**In
CRIMINAL MISCELLANEOUS No.21012 of 2021**

Arising Out of PS. Case No.-638 Year-2020 Thana- CHAPRA TOWN District- Saran

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TEGAR MAHTO Son of Sri Dhurpdeo Mahto Resident of Village- Mishan
Compound Nichala Raod, P.S.- Chapra Town, District- Saran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 25-08-2021 Heard learned counsel for the petitioner and Mr. Syed
Mojibur Rahman, learned A.P.P. for the State.

This application has been filed seeking modification
in the order dated 30.07.2021 passed in Cr. Misc. No. 21012 of
2021.

Learned counsel for the petitioner submits that while
he was arguing the said case this Court called upon him to make
a statement as to whether the petitioner is on bail in the one case
stated in paragraph '3'. Learned counsel submitted that the
petitioner is on bail and the same has been taken note of in the
order dated 30.07.2021.

Learned counsel submits that in fact in paragraph '3'



of the petition there was no such statement and it was he who has committed a mistake on oral instruction from the pairvikaar which has been recorded in the order. Learned counsel submits that it is not a case of concealment of fact and that's why he is seeking a modification only to the extent that his submission recorded in this regard that the petitioner is on bail in the case stated in paragraph '3' be modified to say that the petitioner has got one criminal antecedent in which his prayer for bail is pending.

Learned A.P.P. for the State is present and in the kind of modification sought for he has no objection.

In the order dated 30.07.2021 in place of the submission that 'the petitioner has got one criminal antecedent in which he is on bail' it will be read as 'the petitioner has got one criminal antecedent in which his prayer for bail is pending'.

The modification application is thus allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

