

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54746 of 2021

In
CRIMINAL APPEAL (SJ) No.2173 of 2020

Arising Out of PS. Case No.-60 Year-2019 Thana- RAJAON District- Banka

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Makeshwar Mandal S/O Late Prasadi Mandal R/O Village-Tekani, P.S
Rajaun, District-Banka.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Narendra Kumar Singh,Advocate

For the Opposite Party/s : Mr.Sadanand Paswan,Spl.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 17-11-2021 Learned counsel for the petitioner undertakes to

remove all the defects pointed out by the Stamp Reporter within

four weeks after start of normal functioning of the Court.

It seems that in the petition giving rise to Cr. Appeal
(SJ) No. 2173 of 2020 the petitioner-appellant declared that he
had no criminal antecedent.

By filing the present application under Section 482
Cr.P.C. the petitioner-appellant is seeking modification of the
order passed by this Court. This time it is stated that the
petitioner-appellant has got 3 criminal antecedents and he has
also been named in Rajaun P.S. Case No. 126 of 2005.
Admittedly, the petitioner-appellant had not disclosed the
criminal antecedent.

In these circumstances, this Court finds no reason to



entertain the present application when the admitted case of the petitioner-appellant is that in the original petition for bail, he had not declared the antecedents in paragraph '3'. The order passed by this Court being a court of records is based on what the record says. The order is, thus, not fit to be modified. This application is dismissed but with liberty to the petitioner-appellant to file a fresh application for regular bail with correct statement in paragraph '3'.

Mr. Sadanand Paswan, learned Spl.P.P. for the State is present.

This application stands disposed of accordingly.

(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'.

