

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36968 of 2020

In
CRIMINAL MISCELLANEOUS No.23499 of 2020

Arising Out of PS. Case No.-12 Year-2020 Thana- TATARPUR District- Bhagalpur

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1. SULEKHA DEVI Wife of Late Ram Pravesh Singh Resident of At- Urdu Bazar, P.S.- Tatarpur, Distt- Bhagalpur.
 2. Avnit Kumar @ Avinit Kumar Singh Son of Late Ram Pravesh Singh Resident of At- Urdu Bazar, P.S.- Tatarpur, Distt- Bhagalpur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Madhav Krishna, Advocate
For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 03-02-2021 The present application has been filed for modification of the order dated 02.12.2020 passed by this Court in Criminal Miscellaneous No. 23499 of 2020.

Learned counsel for the petitioners submits that he has an apprehension that because of the observation in the last paragraph of the order, there may be difficulty in the learned court below in accepting the bail bond.

Learned counsel further submits that the petitioners have got one criminal antecedent which has been duly stated in the paragraph '3' of the main application (in Criminal Miscellaneous No. 23499 of 2020) in which it has been stated that the petitioners were accused in East Colony P.S. Case No.



28 of 2014 under Section 498A, I.P.C. and Sections 3/4 of the Dowry Prohibition Act in which they are on bail.

The last paragraph of the order dated 02.12.2020 passed by this Court is as follows:

"And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners."

In the opinion of this Court, the petitioners have no reason of apprehension because the last paragraph of the order passed by this Court would apply only if the learned Court below finds any concealment on the part of the petitioners. If the petitioners have got only one case which they have stated in paragraph '3', there is no reason why their bail bond shall not be accepted.

No modification is required. This application stands disposed of.

In case the petitioners surrender within a period of two weeks from today and comply with directions contained in the order passed by this Court dated 02.12.2020 in Criminal



Miscellaneous No. 23499 of 2020 the learned Court below shall
accept the bail bond of petitioners.

(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'.

