

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59246 of 2021

In
CRIMINAL APPEAL (SJ) No.2221 of 2021

Arising Out of PS. Case No.-249 Year-2020 Thana- BIKRAMGANJ District- Rohtas

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Baban Singh, S/O Shiv Lagan Singh, R/O Mohalla-Ward No. 26, P.S.-
Vikramganj, District-Saran (ROHTAS).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Shrivastava, Adv.

For the Opposite Party/s : Ms.Usha Kumari 1, Spl.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 24-11-2021 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

This modification application has been filed seeking

modification in the order dated 30.06.2021 passed in Cr.Appeal

(SJ) No.2221 of 2021.

At this stage, learned counsel for the petitioner

submits that while filing the earlier case a statement was made

in paragraph '3' that the appellants have got no criminal

antecedent, this Court has granted bail and the appellants have

come out of jail by submitting bail bonds, but later on it has

been informed by learned counsel representing the appellants in

the learned court below that the appellant no.1 Baban Singh has



got two criminal antecedents.

Learned counsel submits that the appellant no.1 has obtained bail in those two cases after the order was passed by this Court in the present case being Cr.Appeal (SJ) No.2221 of 2021, therefore his submission is that this Court may modify its order, otherwise the bail bond of appellant no.1 may be cancelled by the learned court below in view of one of the conditions prescribed in the order dated 30.06.2021 passed by this Court.

Ms. Usha Kumari-1, learned Spl.P.P. for the State is present. Learned counsel submits that the appellant no.1 has suppressed his criminal antecedent before this Court, therefore, he does not deserve any sympathy and further that this Court being a Court of record would not modify its order based on new facts which are being brought in the present application.

This Court agrees with the submission of learned Spl.P.P. for the State.

This modification application is dismissed.

Let the learned court below take steps for cancellation of bail bond of appellant no.1 (Baban Singh) in terms of the order dated 30.06.2021 passed in Cr.Appeal (SJ) No.2221 of 2021. If the petitioner is taken into custody after cancellation of



bail bond, it would be open for him to file a fresh application for
bail before this Court.

(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'.

