

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20614 of 2022

In
CRIMINAL MISCELLANEOUS No.41761 of 2021

Arising Out of PS. Case No.-63 Year-2021 Thana- MANIYARI District- Muzaffarpur

Mithun Kumar, Son of Bhajan Sah, Resident of Village - Vishunpur Gidha,
P.S.- Maniyari, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate.

For the Opposite Party/s : Mr. Ajit Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 03-08-2022 Heard the parties.

The present modification application under Section 482 of the Code of Criminal Procedure has been filed for modification of the order dated 31.03.2022 passed in Cr. Misc. No. 41761 of 2021 by which the sole petitioner was directed to be released on bail.

It has been informed by Mr. Sheo Kumar Prasad, learned counsel appearing on behalf of the petitioner that since the pleading with respect to the criminal antecedent of the petitioner was not made in Para-3 of the bail application that one case is pending against the petitioner, the petitioner has not been released. He further submits that any modification of the condition as mentioned in Para-v of the conditions mentioned in



the order granting bail will not amount to substantial modification of the order by this Court under Section 362 of the Code of Criminal Procedure and as such liberty be given to the petitioner to file fresh bail application giving all details.

In view thereof, learned counsel appearing on behalf of the petitioner seeks permission to withdraw the present modification application filed under Section 482 of the Code of Criminal Procedure with liberty to pursue his remedy before the appropriate forum.

Accordingly, the present modification application stands dismissed as withdrawn.

(Purnendu Singh, J)

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