

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39166 of 2022

In
CRIMINAL MISCELLANEOUS No.63064 of 2021

Arising Out of PS. Case No.-140 Year-2021 Thana- ROH District- Nawada

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Sito Rajbanshi @ Sitavair Rajbanshi Son of Nathun Rajbanshi @ Natho
Rajbanshi Resident of Village - Bhupesh Nagar, P.s.- Roh, Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mrs. Asha Devi, APP.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 30-11-2022 Heard Mr. Sheo Kumar Prasad, learned counsel

appearing on behalf of the petitioner and Mrs. Asha Devi,

learned APP for the State.

In compliance of the order dated 24.08.2022, learned
Exclusive Special Excise Judge-II, Nawada has submitted a
report contained in Letter No. 175/2022 dated 30.08.2022
informing that the petitioner has already been released after
accepting bail bond.

It appears that there was no occasion for the petitioner
to file the present modification application under Section 482 of
the Code of Criminal Procedure on frivolous ground before the
verification with respect to criminal antecedent of the petitioner
was made by the court below. This Court vide order dated



28.04.2022 amongst other conditions allowing bail had directed to verify the criminal antecedent of the petitioner. Said condition is reproduced hereunder:-

“The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically loose its force.

After compliance of the aforesaid order dated 28.04.2022 with respect to verification of the criminal antecedent of the petitioner, his bail bond was accepted and he was released immediately.

Learned counsel appearing on behalf of the petitioner submits that he seeks to withdraw the present modification application.

This court warns the learned counsel for filing such frivolous application amounting to abuse of the process of the Court.

The application stands dismissed as withdrawn.

(Purnendu Singh, J)

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