

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48960 of 2022

In
CRIMINAL MISCELLANEOUS No.66662 of 2021

Arising Out of PS. Case No.-107 Year-2021 Thana- ATHMALGOLA District- Patna

1. SANJEEV KUMAR @ RAJEEV KUMAR Son of Raghubir Rai Resident of Village - Naya Tola Sabnima, P.S.- Athmalgola, Distt.- Patna.
2. Sonelal Rai Son of Barhm Rai Resident of Village - Naya Tola Sabnima, P.S.- Athmalgola, Distt.- Patna.
3. Pankaj Kumar Sonof Matar Rai Resident of Village - Naya Tola Sabnima, P.S.- Athmalgola, Distt.- Patna.
4. Panjab Lal Son of Matar Rai Resident of Village - Naya Tola Sabnima, P.S.- Athmalgola, Distt.- Patna.
5. Sajay Kumar Son of Arjun Rai Resident of Village - Naya Tola Sabnima, P.S.- Athmalgola, Distt.- Patna.
6. Raju Rai @ Raju Kumar Son of Kailash Rai Resident of Village - Naya Tola Sabnima, P.S.- Athmalgola, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudish Kumar

For the Opposite Party/s : Mr.Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-09-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have filed the instant application for modification of the order dated 18.07.2022 passed in Cr. Misc. No. 66662 of 2021, in which order was recorded on the basis of submissions made by the learned counsel for the petitioners that he seeks permission to withdraw the petition on behalf of



petitioner no. 2, 4 and 6. Accordingly, the same was recorded in first and third paragraph of the order as petition has been dismissed as withdrawn against petitioner no. 2, 4 and 6.

Learned counsel for the petitioners submits that he intended to withdraw the petition as against petitioner nos. 2, 3 and 6.

Let the application be treated to be dismissed as withdrawn against petitioner nos. 2, 3 and 6 instead of petitioners no. 2, 4 and 6.

It is further submitted by learned counsel for the petitioners that he had inadvertently pressed the bail petition of petitioner nos. 1, 3 and 5 instead of petitioner nos. 1, 4 and 5 and accordingly, the court had granted bail to petitioner nos. 1, 3 and 5.

It is submitted by learned counsel for petitioners that petitioner no. 4 may also be granted bail as his case stands on similar footing to that of the petitioner no.1 & 5 who had already been granted bail vide order dated 18.07.2022 passed in Cr. Misc. No. 66662 of 2021.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner no. 4 on bail. He is



directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Athmalgola P.S. Case no. 107 of 2021, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Barh, Patna subject to the conditions as laid down under section 438(2) of the Cr.P.C.

In view of the submission above, this application is allowed. The order dated 18.07.2022 passed in Cr. Misc. No. 66662 of 2021 is modified to the extent that the petitioner no.4 is granted bail and so far as petitioner no. 3 is concerned, application against him is dismissed as withdrawn.

The application stands allowed to the above extent.

(Sunil Kumar Panwar, J)

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