

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58053 of 2022

In
CRIMINAL MISCELLANEOUS No.19620 of 2022

Arising Out of PS. Case No.-382 Year-2019 Thana- ARARIA District- Araria

MD. MUSTAFA @ MUSTAFA Son of late Israfil @ Late Israfil Ansari R/V-
Hariabara, Ward No. 12, P.S and Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kanchan Jha

For the Opposite Party/s : Mr.Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 14-12-2022 This application has been filed for modification of
order dated 22.07.2022 passed in Cr.Misc. No. 19620 of 2022.

It is submitted on behalf of petitioner that due to mistake of fact that petitioner is registered owner of alleged Scorpio, the prayer for anticipatory bail of petitioner was rejected. In fact, registered owner of the alleged Scorpio vehilce is one Kumar Gaurav @ Kumar Gourav, resident of Kharaiya Basti, Ward No. - 01, P.S. - Araria, District – Araria. In support of the same, copy of the same has been enclosed, as Annexure – 2 to the petition. It is further submitted that Kumar Gaurav, who is registered owner of said vehicle, had filed a writ petition, vide C.W.J.C. No. 12946 of 2019, which has already been disposed of on 24.06.2020 (Annexure 4 to this petition).



In view of aforesaid fact, the modification petition is allowed with a direction to the learned court below to verify the ownership of the vehicle in question and if after verification, it is found that petitioner is not registered owner of the said vehicle, he (petitioner) shall be enlarged on anticipatory bail on such terms and conditions, as may deem fit and proper in the facts and circumstances of the case.

(Prabhat Kumar Singh, J)

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