

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50822 of 2022

In
CRIMINAL MISCELLANEOUS No.44344 of 2021

Arising Out of PS. Case No.-38 Year-2021 Thana- PATEPUR District- Vaishali

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RATNESH KUMAR S/O RAVINDRA RAY Resident of Ward No- 08, Durga Mandir, Bardiha Chowk, Bradiha Turki, Bardiha, P.S.- Patepur, District- Vaishali at Hajipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. S.K. Lal

For the Opposite Party/s : Mr. Atul Chandra

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 28-09-2022 Heard Mr. S.K. Lal, the learned Advocate for the

petitioner and Mr. Atul Chandra, the learned counsel for

the State.

Under peculiar circumstances, an application has

been filed for modification of the order dated 29.04.2022

passed in Cr. Misc. No. 44344 of 2021, by which

anticipatory bail has been granted to the petitioner.

The aforesaid order has been executed and the

petitioner has already been released on anticipatory bail

pursuant to the order passed by this Court.

While recording the facts of this case, this Court



had dictated that notwithstanding the petitioner having given a sword blow on the face of the informant, the injuries suffered by the informant were all simple in nature.

There appears to be some mistake in recording of the afore-noted fact as has been pointed out by Mr. Lal, the learned Advocate for the petitioner.

Mr. Lal has drawn the attention of this Court to the original bail petition in which in paragraph -10, he has clearly mentioned that all but one injury on the person of the informant has been opined to be simple. In support of the aforesaid statement made in the bail petition, the injury report also had been annexed.

Prima facie, there does not appear to be any intention on the part of the counsel for the petitioner to mislead the court or to provide wrong information. The necessity for filing the modification application has arisen because of some unsavory comment on the learned counsel for having misled the Court.

Since the order has already been executed, any



modification of the order even with respect to one simple fact would lead to cancellation of bail bonds. Even otherwise, the solitary grievous injury on the informant is not of such a nature which could be life-threatening or dangerous.

For such reason, this Court is not inclined to modify the order dated 29.04.2022, as it has already been executed.

With the aforesaid observation, the application stands disposed off.

(Ashutosh Kumar, J)

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