

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70960 of 2022

In
CRIMINAL MISCELLANEOUS No.39692 of 2021

Arising Out of PS. Case No.-174 Year-2020 Thana- AMARPUR District- Banka

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Nattua Singh @ Natta Chaudhary @ Nato Singh @ Natua @ Natber
Chaudhary, Son of Vilayati Singh @ Vilayati Chaudhary, Resident of
Nayagaon, Virpurtola, P.S.- Parbatta, District- Khagariya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Geeta Kumari Jha, Advocate
For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 21-12-2022 Learned counsel for the petitioner is permitted to

remove the defect(s), as pointed out by the office, within a

period of four weeks from today.

Heard Mrs. Geeta Kumari Jha, learned counsel for the

petitioner and learned APP for the State.

The present application has been filed seeking

modification of order dated 12.07.2022, passed in Cr. Misc. No.

39692 of 2021 and other analogous cases, whereby the

petitioner was allowed bail in connection with Amarpur P.S.

Case No. 174 of 2020 registered for the offences punishable

under Sections 120(B), 302/34 of the Indian Penal Code. While

allowing the bail vide order dated 12.07.2022, a condition, inter



alia, has been imposed that the court below shall verify the criminal antecedent of the petitioners and in case, at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioners. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

It has been submitted at the bar that in the aforesaid case, the petitioner had also filed a supplementary affidavit bringing on record the fact that prior to the institution of the present case, the petitioner had also been made accused and put to trial in three cases, the details of which have also been mentioned in paragraph 5 of the modification application, however, in all the cases, the petitioners have been acquitted. She further submits that so far the Parbatta P.S. Case No. 146 of 2003 is concerned, the same is still under investigation and the petitioner has no connection with that case. She further submits that as the aforesaid fact has not been taken into consideration while allowing the bail to the petitioner, the learned court below has refused to accept the bail bonds and due to which the petitioner is still languishing in custody.



In view of the aforesaid facts, the statements made in paragraph nos. 4 and 5 of the modification application may be treated as part of the order dated 12.07.2022, passed in Cr. Misc. No. 39692 of 2021 and the learned court below is directed to accept the bail bonds of the petitioner with the other terms and conditions, as mentioned in order dated 12.07.2022.

(Harish Kumar, J)

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