

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57598 of 2019**

**In
CRIMINAL APPEAL (SJ) No.2194 of 2019**

Arising Out of PS. Case No.-69 Year-2019 Thana- MASAUDHI District- Patna

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1. Vikash Thakur, Male, aged about 21 years, Son of Pancham Thakur, Resident of village- Chotki Masaurhi, Police Station- Masaurhi, District- Patna.
 2. Bittu Kumar, Male, aged about 22 years, Son of Pancham Thakur, Resident of village- Chotki Masaurhi, Police Station- Masaurhi, District- Patna.
 3. Nanuka Devi, Female, aged about 50 years, Wife of Pancham Thakur, Resident of village- Chotki Masaurhi, Police Station- Masaurhi, District- Patna.
 4. Rinki @ Rinki Devi, Female, aged about 23 years, Wife of Nagendra Thakur, Resident of village- Nadhari, Police Station- Kinjar, District- Jehanabad.
 5. Nagendra Thakur @ Nagendar Thakur, Male, aged about 25 years, Son of Keshwar Thakur, Resident of village- Nadhari, Police Station- Kinjar, District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Shraddhanand Paswan, Advocate
For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

4 07-02-2022 Heard the parties through video conferencing.

This is an application for seeking modification of the order passed by this Court in Cr. App (SJ) No. 2194 of 2019 on 11.07.2019, whereby anticipatory bail was granted to the appellants. In the application, it is stated that the petitioners have not been able to furnish the bail bonds in time. This Court

have granted anticipatory bail. However, in the order itself, it is also stated that the petitioners to furnish bail bonds within six weeks to the satisfaction of the learned Court below.

In the opinion of this Court, no such bail bonds are required to be submitted as a pre-condition. For granting anticipatory bail in terms of Section 438(2) is essentially a pre-arrest bail, meaning thereby that if a person is to be arrested, they shall not be arrested and shall be asked to submit bail bonds.

In view thereof, no further modification except the clarification as mentioned hereinabove, is required to be made.

The petitioners shall be treated to have been granted anticipatory bail.

The application stands disposed off in the aforementioned terms.

(Sanjeev Prakash Sharma, J)

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