

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20548 of 2023

In
CRIMINAL MISCELLANEOUS No.70508 of 2022

Arising Out of PS. Case No.-602 Year-2021 Thana- MASHRAK District- Saran

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1. RAHUL KUMAR @ RAHUL MAHO Son of Surendra Mahto Resident of Village - Kawalpura, P.S.- Mashrak, District - Saran at Chapra.
 2. Dharmendra Mahto Son of Surendra Mahto Resident of village - Kawalpura, P.S.- Mashrak, District - Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nawal Kishore Singh, Advocate

For the Opposite Party/s : Mr. Akbar Ali, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-04-2023 Heard learned counsel for the petitioners and learned A.P.P. for the State.

Learned counsel for the petitioners submits that petitioners were granted anticipatory bail by order dated 19.12.2022 in Cr. Misc. No. 70508 of 2022 with a condition that they should surrender within a period of six weeks. It is further submitted that in Cr. Misc. No. 70508 of 2022 at para 3 it was inadvertently typed as petitioner no. 1 is a person with clean antecedent and petitioner no. 2 has antecedent of one case when it ought to have been petitioner no. 1 has antecedent of one case and petitioner no. 2 is a person with clean antecedent.

Learned counsel further submits that the said mistake was not deliberate but was a bona fide mistake. It is next submitted



that petitioners never had any intention to conceal their antecedents. It is just that while typing para 3 of the anticipatory bail application, the said mistake crept. Learned counsel, thus, submits that the order dated 19.12.2022 in Cr. Misc. No. 70508 of 2022 be modified to read as – learned counsel for the petitioners submits that petitioner no. 1 has antecedent of one case and petitioner no. 2 is a person with clean antecedent instead of – learned counsel for the petitioners submits that petitioner no. 1 is a person with clean antecedent and petitioner no. 2 has antecedent of one case.

In view of the submissions made by the learned counsel for the petitioners, the order dated 19.12.2022 in Cr. Misc. No. 70508 of 2022 is modified to read as – learned counsel for the petitioners submits that petitioner no. 1 has antecedent of one case and petitioner no. 2 is a person with clean antecedent.

Accordingly, the modification application is allowed.

(Satyavrat Verma, J)

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