

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46128 of 2023

In
CRIMINAL MISCELLANEOUS No.15068 of 2023

Arising Out of PS. Case No.-346 Year-2022 Thana- JOKIHAT District- Araria

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ARSHDEEP SINGH @ BILLU SINGH @ SARDAR JEE Son of Paramjit Singh Resident of village - Sahadar Gachh, Bara, P.S - Funchy Deva, Fansideva, Distt. - Darji

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nafisuzzoha, Advocate
For the Opposite Party/s : Mr.Ramchandra Sahni,APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 19-07-2023 1. The instant petition has been filed for modification in the order dated 08.05.2023 passed in Cr. Misc. No.15068 of 2023 by this Bench by which the petitioner's prayer for regular bail was allowed with certain conditions.

2. It is submitted by learned counsel for the petitioner that in the order dated 08.05.2023 this Court directed the trial court to verify the criminal antecedent of the petitioner from the DGP, West Bengal through S.P. Araria and as the verification is still going on, so the petitioner could not be released till date by the trial court and there may occur more delay in the said verification so the modification is required in the said condition in the interest of justice.



3. In the light of said prayer, this Court perused the order dated 08.05.2023 passed in Cr. Misc. No.15068 of 2023 by which the petitioner's prayer for bail was allowed and besides other conditions, one of the conditions is that "the trial court will verify the criminal antecedent of the petitioner from the Director General of Police, West Bengal through Superintendent of Police, Araria. If any criminal antecedent, other than the cases mentioned in para no.3 of this petition, of the petitioner is found then the trial Court will take serious action against him by cancelling his bail-bond and also take serious action against the bailors as per the procedure of law."

4. The meaning of the said condition is to do the verification of the criminal antecedent of the petitioner after releasing him on bail in the light of the order dated 08.05.2023 and it was not meant by this Bench that the petitioner will be released after the completion of said verification and the intention of this Court clearly reflects from the condition No. (ii) as it is mentioned in the said condition that "if any criminal antecedent other than the cases mentioned in paragraph no.3 of the petition is found then the trial court will take serious action against him by cancelling his bail bond."

5. Accordingly, let an explanation be called for from



the presiding officer of the court concerned for non-compliance of this Court's order dated 08.05.2023 passed in Cr. Misc. No.15068 of 2023 with regard to releasing of the petitioner and the trial court is directed to accept the bail bond of the petitioner immediately and release him after framing charge as directed in the order dated 08.05.2023 if his custody is not required in any other case.

6. Accordingly, the instant petition stands disposed of.

7. List this case only for the limited purpose of appraisal of the explanation received from the concerned presiding officer immediately after receipt of the same, under the appropriate heading.

(Shailendra Singh, J)

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