

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42973 of 2023

Arising Out of PS. Case No.-305 Year-2022 Thana- GHANSHYAMPUR District- Darbhanga

1. Pradeep Chaupal Son Of Uttam Chaupal Resident Of Village - Dakshni Kasrour, P.S.- Ghanshyampur, District - Darbhanga.
2. Rajesh Chaupal Son Of Sone Chaupal Resident Of Village - Dakshni Kasrour, P.S.- Ghanshyampur, District - Darbhanga.
3. Pramod Chaupal Son Of Sone Chaupal Resident Of Village - Dakshni Kasrour, P.S.- Ghanshyampur, District - Darbhanga.
4. Nand Chaupal @ Nandan Chaupal @ Nandai Chaupal Son Of Sone Chaupal Resident Of Village - Dakshni Kasrour, P.S.- Ghanshyampur, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha- Advocate
For the Opposite Party/s : Mr. Chandra Bhushan Prasad- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 06-11-2023 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The learned counsel for the petitioners submits that the order dated 11.08.2023, the anticipatory bail application of petitioner no.1 and 4 was withdrawn. Thereafter, the Court granted bail to the petitioner nos.2 and 3, but at Para-9 of the order dated 11.08.2023, it has been recorded:- “Considering the submissions made by the learned counsel for the petitioners, the petitioner nos.2 and 4 above-named, in the event of their arrest or surrender before the learned trial Court within a period of six



weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial Court where the case is pending/ successor Court in connection with Ghanshyampur P. S. Case No.305 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C., **when it ought to have been:-** “Considering the submissions made by the learned counsel for the petitioners, the petitioner nos.2 and 3, above-named, in the event of their arrest or surrender before the learned trial Court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial Court where the case is pending/ successor Court in connection with Ghanshyampur P. S. Case No.305 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.”

3. Considering the submission made by the learned counsel for the petitioners, the Paragraph-9 of the order dated 11.08.2023 is modified to read as:- **“Considering the submissions made by the learned counsel for the petitioners, the petitioner nos.2 and 3, above-named, in the event of their**



arrest or surrender before the learned trial Court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial Court where the case is pending/ successor Court in connection with Ghanshyampur P. S. Case No.305 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.”

4. The order dated 11.08.2023 is modified to the extent as indicated above.

5. In the event, if the petitioners surrender on or before 01.12.2023, the bail bonds of the petitioners shall be accepted on the same terms and conditions.

(Satyavrat Verma, J)

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