

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59422 of 2023

In
CRIMINAL MISCELLANEOUS No.48467 of 2023

Arising Out of PS. Case No.-35 Year-2023 Thana- NADI District- Supaul

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1. SHIBU YADAV @ AMOD KUMAR YADAV S/O KARI YADAV R/O VILLAGE- KHAP TOLE, PARIKONCH, PS. MARAUNA, DIST. SUPAUL
 2. MAHESH YADAV @ MUKHIYA @ MAHESH KUMAR S/O YUGESHWAR YADAV R/O VILLAGE- KHAP TOLE, PS. SUPAUL NADI, DIST. SUPAUL

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratanakar Jha, Advocate
For the Opposite Party/s : Mr. Braj Kishore Pd., APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-09-2023 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The present modification application has been filed for modifying the order dated 28.07.2023 in Cr. Misc. No. 48467 of 2023.

3. Learned counsel for the petitioners submits that petitioners had earlier moved seeking anticipatory bail by filing Cr. Misc. No. 48467 of 2023 and the same was allowed by order dated 28.07.2023. It is further submitted that in Cr. Misc. No. 48467 of 2023, the name of the father of petitioner no. 2 Mahesh Yadav @ Mukhiya @ Mahesh Kumar was inadvertently recorded as Jhingar Yadav, resident of Keotapatti when the name



of the father of petitioner no. 2 Mahesh Yadav @ Mukhiya @ Mahesh Kumar is Yugeshwar Yadav, resident of village Khap Tole. It is next submitted that in the FIR there are two accused by the name of Mahesh Yadav. It is also submitted that father's name of one of the accused namely Mahesh Yadav is Jhingar Yadav, resident of village Keotapatti but the said Mahesh Yadav till date has not filed any anticipatory bail or bail application before this Court.

4. In view of the submissions made by the learned counsel for the petitioners, the order dated 28.07.2023 in Cr. Misc. No. 48467 of 2023 is modified to the extent that father's name of petitioner no. 2 Mahesh Yadav @ Mukhiya @ Mahesh Kumar shall be read as Yugeshwar Yadav, resident of village Khap Tole instead of Jhingar Yadav, resident of village Keotapatti.

5. The order dated 28.07.2023 is modified to the extent indicated above.

6. In the event if the petitioner no. 2 surrenders on or before 25.09.2023 his bail bonds shall be accepted on the same terms and conditions.

7. It is made clear that the learned trial court before accepting the bail bonds of the petitioner no. 2 shall verify



whether Mahesh Yadav, Son of Jhingar Yadav, resident of Keotapatti had moved before this Court or not for seeking anticipatory bail or regular bail and in the event if it is found that the said Mahesh Yadav had also preferred anticipatory bail application or regular bail application, in that event the bail bonds of the present petitioner no. 2 shall not be given effect to as it has been submitted by the learned counsel for the petitioners that Mahesh Yadav, Son of Jhingar Yadav has not moved before this Court seeking anticipatory or regular bail but if he has not moved then the bail bonds of the petitioner no. 2 shall be accepted forthwith.

(Satyavrat Verma, J)

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