

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73762 of 2023

In
CRIMINAL MISCELLANEOUS No.49460 of 2023

Arising Out of PS. Case No.-373 Year-2021 Thana- NAWADA District- Nawada

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Tirloki Prasad, Gender-Male, aged about 44 years, Son of Roop Lal Mahto,
Resident of Village - Dharhara, P.O. - Jhurjhuri, P.S. - Barkattha, District -
Hazaribagh, Jharkhand.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vikas Ratan Bharti, Advocate
For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-11-2023 Heard Mr. Vikas Ratan Bharti, learned counsel for the

petitioner and Dr. Kumar Uday Pratap, learned APP for the

State.

2. The present modification application has been filed
for modify the order dated 29.08.2023, pending in Cr. Misc. No.
49460 of 2023.

3. By the order dated 29.08.2023, the petitioner was
granted bail with the following conditions:-

(1) One of the bailors should be the father of the
petitioner, namely, Roop Lal Mahto R/o Village- Dharhara, P.O.-
Jhurjhuri, P.S. Barkattha, District- Hazaribagh, Jharkhand.

(2) Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(3) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(4) And, further condition that the Court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

4. The learned counsel for the petitioner submits that the father of the petitioner is no more and prays to modify paragraph no.6 of condition no. 1 to the extent that one of the bailors shall be any of the relative of the petitioner in place of father of the petitioner. The learned counsel for the petitioner has not bring on the record the death certificate of the father of the petitioner, he only annexed the certificate issued by the



Mukhiya which suggest that father of the petitioner has died in the year 2017 (17.01.2017) when the petitioner has filed the criminal Misc. No. 49460 of 2023, he has not mentioned that his father has died in the year 2017 and the certificate issued by the Mukhiya has not bring on the record of the death certificate of the father of the petitioner by the competent authority under the law.

5. In the aforesaid facts and circumstances, the instant modification petition is dismissed.

(Rajesh Kumar Verma, J)

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