

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24389 of 2023

In
CRIMINAL MISCELLANEOUS No.23010 of 2022

Arising Out of PS. Case No.-92 Year-2021 Thana- BARIYARPUR District- Munger

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VIJAY RAJAK SON OF LATE BANO RAJAK VILLAGE- PAIRU
MANDAL TOLA, VIJAY NAGAR, P.S. BARIYARPUR, DISTT- MUNGER

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sagar Suman, Advocate

For the Opposite Party/s : Mr. Anil Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel submits that petitioner was granted
bail by order dated 07.11.2022 in Cr. Misc. No. 23010 of 2022
with a condition that one of the bailors of the petitioner shall be
his father, Anup Lal Tanti.

Learned counsel submits that inadvertently in Cr.
Misc. No. 23010 of 2022, the name of the father of the petitioner
was typed as Anup Lal Tanti, when the name of his father is
Bano Rajak who died much prior to filing of Cr. Misc. No.
23010 of 2022. The learned counsel next submits that one Ranjit
Tanti was also an accused in the same FIR along with the
present petitioner, the name of the father of Ranjit Tanti was



Anup Lal Tanti. It is submitted that inadvertently, the name of the father of Ranjit Tanti was recorded in Cr. Misc. No. 23010 of 2022 showing the petitioner as son of Anup Lal Tanti. Learned counsel next submits that the last date for surrendering of the petitioner in terms of the order dated 07.11.2022 was 19.12.2022, but the petitioner realizing the said bonafide inadvertence mistake filed a modification application on 19.11.2022 itself. The learned counsel next submits that the modification application thus has been filed seeking modification of the order dated 07.11.2022 in Cr. Misc. No. 23010 of 2022 for modifying the name of the father of the petitioner to read as Late Bano Rajak instead of Anup Lal Tanti. The petitioner for the said proposition also relies on Annexure-4 of the original bail application.

The learned counsel also relies on Annexure 4 to Cr. Misc. No. 23010 of 2022 to submit that from the identity card issued by the Government of Bihar in the Department of Labour Resources the name of the father of the petitioner is recorded as Bano Rajak.

Learned APP does not oppose the modification application.

Considering the submissions made by the learned



counsel for the petitioner the order dated 07.11.2022 in Cr. Misc. No. 23010 is modified to the extent that the name of the father of the petitioner shall be read as Late Bano Rajak instead of Anup Lal Tanti.

In the event, the petitioner surrenders or before 17.05.2023, his bail bonds shall be accepted on the terms and conditions as recorded in order dated 07.11.2022 in Cr. Misc. No. 23010 of 2022.

Further, the order dated 07.11.2022 in Cr. Misc. No. 23010 of 2022 shall be read as “One of the bailors of the petitioner shall be his nephew deponent Jawahar Rajak”.

The order dated 07.11.2022 in Cr. Misc. No. 23010 of 2022 is modified to the extent indicated above.

(Satyavrat Verma, J)

GauravSinha/-

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