

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4520 of 2023

In
CRIMINAL MISCELLANEOUS No.8751 of 2022

Arising Out of PS. Case No.-561 Year-2021 Thana- SURSAND District- Sitamarhi

PRAMOD KUMAR @ PRAMOD KUMAR SAH @ DOCTOR SAHEB Son
of Bhikhari Sah Resident of Village - Shivnagar, P.S.- Bela and District -
Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar
For the Opposite Party/s : Mr.Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

4 29-03-2023 Heard the parties.

Learned counsel for the petitioner submits that petitioner was granted bail by this Court on 05.07.2022 vide Cr. Misc. No. 8751 of 2022 on certain conditions. He further submits that one of the conditions in order granting bail is that “the petitioners shall submit an affidavit disclosing that whatsoever stated in their respective bail petitions regarding criminal antecedent of the petitioners is true as stated in para 3 of the bail petition and if it is found untrue by the learned court below, the bail bond of concerned petitioner shall not be accepted by the court below”. He further submits through supplementary affidavit that the petitioner has no previous



criminal antecedent prior to registration of this case but after his arrest in the present case i.e. Sursand P.S. Case No. 561 of 2021 on 10.12.2021 the petitioner was remanded in seven more cases and due to said reason the same was not mentioned in the earlier bail petition. He further submits that pairvikar of the petitioner has never concealed the criminal antecedent of the petitioner knowingly and intentionally at the time of filing of bail petition rather same has been occurred due to lack of knowledge regarding remand of the petitioner in other cases after his arrest in the present case and he has also undertaken that same type of mistake shall not be committed in future. In the aforesaid background, learned counsel for the petitioner prays that condition no. (iv) of order granting bail dated 05.07.2022 vide Cr. Misc. No. 8751 of 2022 may kindly be modified.

Learned counsel for the State does not controvert the submissions of learned counsel for the petitioner.

In the aforesaid circumstance, let in place of condition no. 4 of order granting bail dated 05.07.2022 vide Cr. Misc. No. 8751 of 2022, it be read as “after arrest in the present case, the petitioner has been remanded in seven more cases”.

Accordingly, order dated 05.07.2022 vide Cr. Misc. No. 8751 of 2022 stands modified to the extent, stated above.



In the aforesaid manner, the present petition stands
disposed of.

(Alok Kumar Pandey, J)

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