

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9130 of 2023

In
CRIMINAL MISCELLANEOUS No.25272 of 2021

Arising Out of PS. Case No.-74 Year-2020 Thana- KHODAWANDPUR District- Begusarai

VIKASH YADAV @ VIKASH KUMAR YADAV S/O SIKENDRA YADAV
R/v- Khanjhanpur, Ward No. 06, P.S.- Cheria Bariyarpur, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-02-2023 Heard learned counsel for the petitioner and learned
A.P.P., Mr. Ganesh Prasad Singh, for the State.

Learned A.P.P. for the State, at the outset, raises a preliminary objection and submits that the petitioner was earlier granted provisional bail by a learned Co-ordinate Bench by order dated 25.05.2022 in Cr. Misc. No. 25272 of 2021. It appears, thereafter, when the case diary was received and the matter was taken up by this Court, perhaps, the learned advocate, appearing at that time, did not bring to the notice of the Court that the petitioner already has been granted provisional anticipatory bail, rather, the matter was argued and the Court granted anticipatory bail to the petitioner by order dated 16.08.2022 in Cr. Misc. No. 25272 of 2021 instead of



confirming the provisional bail granted by order dated 25.05.2022.

Learned A.P.P. for the State further submits that this fact ought to have been brought to the notice of the Court by the learned counsel appearing on behalf of the petitioner at that point of time when the matter was taken up.

At this stage, the learned counsel for the petitioner seeks permission to withdraw the present modification application with liberty to file a fresh modification application seeking modification of the order dated 16.08.2022 in Cr. Misc No. 25272 of 2021.

Permission is accorded.

(Satyavrat Verma, J)

HarshPandey/-

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