

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50387 of 2024

In
CRIMINAL MISCELLANEOUS No.28347 of 2024

Arising Out of PS. Case No.-61 Year-2024 Thana- SONEPUR District- Saran

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1. GUDDU KUMAR SON OF LATE GANESH RAY R/V- SABALPUR CHAHARAM, P.S.- SONEPUR, DISTT.- SARAN AT CHAPRA-841101
 2. PANKAJ KUMAR SON OF LATE GANESH RAY R/V- SABALPUR CHAHARAM, P.S.- SONEPUR, DISTT.- SARAN AT CHAPRA-841101

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan, Adv.

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-07-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. Learned counsel for the petitioners submits that the petitioners were granted the privilege of anticipatory bail by order dated 16.04.2024 in Cr. Misc. No. 28347 of 2024. It is next submitted that in Cr. Misc. No. 28347 of 2024, the petitioners at Para-3 had specially pleaded that petitioners are persons with clean antecedent. It is next submitted that Cr. Misc. No. 28347 of 2024 was filed on 12.03.2024, till then petitioners were persons with clean antecedent. Thereafter, the petitioners were granted the privilege of anticipatory bail on 16.04.2024 with a condition that the learned trial court before accepting the



bail bonds of the petitioners shall verify the criminal antecedent of the petitioners and if it is found that petitioner no.1 has antecedent of more than two cases and petitioner no.2 has antecedent of more than one case in that event the present anticipatory bail order shall not be given effect to.

3. Learned counsel for the petitioners submits that the petitioners were completely unaware that they came to be implicated in Sonapur P.S. Case No. 337 of 2024 dated 14.04.2024 as in the said case they were also implicated at the instance of Chowkidar. It is further submitted that the petitioners were granted the privilege of anticipatory bail by order dated 16.04.2024 in Cr. Misc. No. 28347 of 2024 and two days prior to petitioners being granted the privilege of anticipatory bail, as aforesaid came to be implicated in Sonapur P.S. Case No. 337 of 2024, as such the petitioners being unaware of their implication could not bring the said fact in Cr. Misc. No.28347 of 2024.

4. Learned counsel for the petitioners submits that when the antecedent of the petitioners was verified it transpired that they have been implicated in Sonapur P.S. Case No. 337 of 2024 as such their bail bonds were not accepted. It is further submitted that in facts of the case as recorded hereinabove the instant modification application has been filed seeking



modification of the order dated 16.04.2024 in Cr. Misc. No. 28347 of 2024.

5. In view of the submissions made by the learned counsel for the petitioners, the modification application is allowed and in the event if the petitioners surrender on or before 09.08.2024 their bail bonds shall be accepted on the same terms and conditions.

(Satyavrat Verma, J)

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