

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62587 of 2024

In
CRIMINAL MISCELLANEOUS No.43763 of 2024

Arising Out of PS. Case No.-347 Year-2024 Thana- AGAMKUAN District- Patna

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1. Sudha Kumari W/o Shailesh Kumar, D/o Vijay Kumar R/o vill - Khasmahal Road Jakkanpur, P.S. - Jakkanpur, Distt. - Patna
 2. Vikash Kumar S/o Vijay Kumar R/o vill - Dhamaul, P.S. - Parsa Bazar, Distt. - Patna
 3. Manish Kumar S/o Vijay Kumar R/o vill - Dhamaul, P.S. - Parsa Bazar, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar
For the Opposite Party/s : Ms.Meena Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-08-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The learned counsel for the petitioners submits that the present modification application has been filed seeking modification of the order dated 11-7-2024 in Cr. Misc No. 43763 of 2024. It is next submitted that petitioners were granted the privilege of anticipatory bail with a condition that learned trial court before accepting the bail bonds of the petitioners shall verify the criminal antecedent of the petitioners and in the event, if petitioners have antecedent of even one case in that event their bail bonds shall not be accepted.



3. It is next submitted that inadvertently at para-3 in Cr. Misc No. 43763 of 2024, it was pleaded that petitioners are persons with clean antecedent but at para-11, it was specifically recorded that petitioners had antecedent of one case being Agamkuan PS. Case No. 345 of 2024. Learned lawyer accepts his fault in not pleading the criminal antecedent of the petitioners at para-3 of the anticipatory bail application, i.e., Cr. Misc No. 43763 of 2024.

4. Learned counsel further submits that petitioners were granted the privilege of anticipatory bail by an order dated 11-7-2024 and they had to surrender within a period of 6 weeks and the last date for surrender was 22-8-2024, but after perusing the order dated 11-7-2024, the said mistake came to the fore as such the instant modification application was filed on 23-7-2024, i.e., much before the last date of surrender.

5. Considering the submission made by the learned counsel for the petitioners, it is directed that if the petitioners surrender on or before 9-9-2024, they shall be released on provisional anticipatory bail and the learned trial court thereafter shall seek the criminal antecedent of the petitioners and in the event if it is found that petitioners have more than one antecedent in that event the provisional anticipatory bail bonds



shall be cancelled, but if petitioners have only one criminal antecedent in that event the provisional anticipatory bail bonds shall be confirmed.

6. The order dated 11-7-2024 in Cr. Misc No. 43763 of 2024 is modified to the extent indicated above.

(Satyavrat Verma, J)

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