

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60197 of 2024

In
CRIMINAL MISCELLANEOUS No.46039 of 2024

Arising Out of PS. Case No.-76 Year-2024 Thana- SRINAGAR District- West Champaran

1. Shankar Mahto Son of Late Jhakar Mahto R/O Vill. Ward No. 13, Kohada Mushari Tola, Fulwariya Tola, Bhawanipur, P.S.- Srinagar, Dist.- West Champaran.
2. Yogendra Prasas @ Yogendra Mahto Son of Shankar Mahto R/O Vill. Ward No. 13, Kohada Mushari Tola, Fulwariya Tola, Bhawanipur, P.S.- Srinagar, Dist.- West Champaran.
3. Jayprakash Prasad @ Prakash Mahto Son of Shankar Mahto R/O Vill. Ward No. 13, Kohada Mushari Tola, Fulwariya Tola, Bhawanipur, P.S.- Srinagar, Dist.- West Champaran.

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Gupta
For the Opposite Party/s : Mr.Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-08-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The learned counsel for the petitioners submits that petitioners were granted the privilege of anticipatory bail by an order dated 18-7-2024 in Cr. Misc No. 46039 of 2024. It is next submitted that petitioners in Cr. Misc No. 46039 of 2024 with respect to their criminal antecedents had stated – Petitioner No. 1 is a person with clean antecedent, Petitioner No. 2 has antecedent of two cases, i.e. Srinagar PS Case No. 78 of 2023



and Srinagar PS Case No. 56 of 2024, and Petitioner No. 3 has antecedent of one case, i.e. Srinagar PS Case No. 56 of 2024.

3. It is next submitted that petitioners had not concealed their antecedents rather Petitioner No. 3 was involved in Srinagar PS Case No. 78 of 2023 and Srinagar PS Case No. 56 of 2024 whereas Petitioner No. 2 had only one antecedent, i.e., Srinagar PS Case No. 56 of 2024. It is further submitted that petitioners were granted the privilege of anticipatory bail with a condition that the learned trial court before accepting the bail bonds of the petitioners shall verify their criminal antecedents.

4. It is further submitted that petitioner Nos. 2 and 3 did not conceal their antecedent rather instead of pleading at para-3 of Cr. Misc No. 46039 of 2024 that Petitioner No. 2 has antecedent of one case and Petitioner No. 3 has antecedent of two cases, it was pleaded that Petitioner No. 2 has antecedent of two cases and Petitioner No. 3 has antecedent of one case, but then it is submitted that the case number in which they were implicated was correctly mentioned.

5. It is thus submitted that paragraphs 3 and 8 of the order dated 18-7-2024 in Cr. Misc No. 46039 of 2024 be modified to read as – "*Para-3- Petitioner No. 2 has antecedent*



of one case and Petitioner No. 3 has antecedent of two cases and Para-8 -It is made clear that the learned trial Court before accepting the bail bonds of the petitioner shall verify the criminal antecedent of the petitioners and in the event, if it is found that petitioner no.1 has antecedent of even one case and petitioner no. 2 has antecedent of more than one case and petitioner no. 3 has antecedent of more than two cases, in that event, the present anticipatory bail application shall not be given effect to".

6. In view of the submission made by learned counsel for the petitioners, the order dated 18-7-2024 in Cr. Misc No. 46039 of 2024 is modified to the extent indicated above.

(Satyavrat Verma, J)

SUMIT/-

U		T	
---	--	---	--

