

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.68657 of 2024**

**In**  
**CRIMINAL MISCELLANEOUS No.28562 of 2024**

Arising Out of PS. Case No.-331 Year-2022 Thana- CHAUTHAM District- Khagaria

1. Aurangjeb Uddin @ Aurangjeb Alam Son of Esarail Uddin, Resident of Village- Thuthi Mohanpur, P.S.- Chautham, District- Khagaria (Bihar).
2. Sanjar Alam @ Md. Sanjar Alam Son of Esarail Uddin, Resident of Village- Thuthi Mohanpur, P.S.- Chautham, District- Khagaria (Bihar).

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioners : Mr. Shailendra Kumar Singh, Advocate  
For the Opposite Party : Mr. Anand Kishore Choudhary, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      20-09-2024                      Heard Mr. Shailendra Kumar Singh, the learned  
counsel for the petitioners and Mr. Anand Kishore Choudhary,  
the learned Additional Public Prosecutor for the State.

2.                      The present modification application has been filed  
for modification of the order dated 19.07.2024, passed in Cr.  
Misc. No. 28562 of 2024.

3.                      Learned counsel for the petitioners submits that  
vide the aforesaid order, the petitioners were granted the  
privilege of anticipatory bail in connection with Chautham P.S.  
Case No. 331 of 2022, and one of condition was that:

*“And further condition that the learned trial Court  
shall verify the criminal antecedent of the petitioners*



*and in case, at any stage, it is found that the petitioners have concealed their criminal antecedent, the learned trial Court shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.”*

4. Learned counsel for the petitioners submits that in the Cr. Misc. No. 28562 of 2024, the petitioners have stated in paragraph no. 3 of the bail petition that they carry only one criminal antecedent other than the present. However, it has been found during furnishing of the bail bond that the petitioners were carrying three more criminal antecedents.

5. Learned counsel for the petitioners submits that due to communication gap, the petitioners were not able to mention their criminal antecedents in paragraph no. 3 of the aforesaid bail petition and this act of petitioners is not deliberate, hence, the order dated 19.07.2024 may be modified.

7. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioners and submits that the petitioners were aware that they carry three more criminal antecedents, yet knowingly, they mentioned only one criminal antecedent other than the present in the aforesaid bail application and concealed the fact before this Hon'ble Court.



8. In view of the aforesaid, no case is made out for interference of this Court.
9. Accordingly, the present modification application stands dismissed.

**(Rajesh Kumar Verma, J)**

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