

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73393 of 2024

In
CRIMINAL MISCELLANEOUS No.49152 of 2024

Arising Out of PS. Case No.-31 Year-2024 Thana- SIMRA District- West Champaran

Mahesh Khatik Son of Thagu Khatik Resident of Village- Manjhariya Tola
Prasauni, PS- Bhairoganj, Distt.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anand Kishore Choudhary, Advocate

For the Opposite Party/s : Mr.Braj Kishore Pd., APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 22-11-2024 Heard learned counsel for the petitioner and the
learned APP for the State.

2. The learned counsel for the petitioner submits that petitioner was granted the privilege of anticipatory bail by order dated 24.07.2024 in Cr. Misc. No.49152 of 2024 with a condition that before accepting the bail bonds of the petitioner, the criminal antecedent shall be verified and in the event if it is found that petitioner has more than two antecedents, in that event the order dated 24.07.2024 shall not be given effect to.

3. The learned counsel for the petitioner submits that petitioner in compliance of the order dated 24.07.2024 surrendered on 03.08.2024, but during verification of the criminal antecedent it transpired that petitioner has antecedent of three cases. The learned counsel submits that the third case



was of the year 2007 for which Ram Nagar P.S. Case No.314 of 2007 was instituted. It is submitted that police after investigating Ram Nagar P.S. Case No.314 of 2007 submitted Final Form No.09 of 2011 dated 30.01.2011. It is submitted that final form was accepted and the case was dropped by an order dated 23.07.2019 as would manifest from Annexure-4 Series to the supplementary affidavit. It is submitted that this amply explains that petitioner has not concealed his antecedents.

4. Considering the submissions made by the learned counsel appearing on behalf of the petitioner the learned trial court is directed to accept the bail bonds of the petitioner, if the petitioner surrenders on or before 06.12.2024.

5. The order dated 24.07.2024 in Cr. Misc. No.49152 of 2024 is modified to the extent indicated above.

(Satyavrat Verma, J)

Prakash Narayan

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