

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82980 of 2024

In
CRIMINAL MISCELLANEOUS No.55227 of 2024

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

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1. Rakesh Kumar S/O Rajnarayan Rai R/O Vill.- Sabalpur Chamharan P.S-
Sonpur Dist.- Saran
 2. Rajnarayan Rai S/O Late Rajendra Rai R/O Vill.- Sabalpur Chamharan P.S-
Sonpur Dist.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-12-2024 1. Heard learned counsel for the petitioners and
learned APP for the State.

2. The learned counsel for the petitioners submits that
that petitioners were granted the privilege of anticipatory bail by
order dated 14.05.2024 in Cr. Misc. No.26625 of 2024 with a
condition that the learned trial Court before accepting the bail
bonds of the petitioners shall verify their criminal antecedent
and in the event, if it is found that petitioner no.1 has antecedent
of more than one case and petitioner no.2 has antecedent of
more than two cases, in that event, the present anticipatory bail
order shall not be given effect to.

3. It is submitted that the bail bonds of the petitioners



were not accepted as on verification, their criminal antecedent was found more than what was pleaded in the anticipatory bail application. Accordingly, the petitioners filed modification application being Cr. Misc. No.55227 of 2024 for modifying the order dated 14.05.2024 in Cr. Misc. No.26625 of 2024, but the modification application also got dismissed for non-prosecution as no one had appeared on behalf of the petitioners. It is submitted that the instant restoration application has been filed seeking restoration of Cr. Misc. No.55227 of 2024.

4. The Court is not inclined to entertain the restoration application for the reason that the Court is taking a consistent view in not modifying the order by which accused were granted the privilege of anticipatory bail if the same was obtained by concealing their criminal antecedent.

5. The restoration application is dismissed.

(Satyavrat Verma, J)

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