

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10458 of 2024

In
CRIMINAL MISCELLANEOUS No.74383 of 2023

Arising Out of PS. Case No.-482 Year-2023 Thana- SITAMARHI District- Sitamarhi

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Shekhar Kumar son of Ramnath Sahni Village- Bara Bharti PS -Minapur
District -Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Sharma

For the Opposite Party/s : Mr.Navin Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 23-02-2024 The instant petition has been filed for modification in order dated 29.11.2023 passed in Cr. Misc. No. 74383 of 2023 by this Court with prayer to delete the condition mentioned in the last paragraph of the said order concerning the verification of fact as to recovery of ATM cards from the petitioner and whether they belonged to the petitioner or his family members or not.

2. It is an unusual prayer since the said condition was imposed as it has been submitted at the bar that the ATM cards recovered from the petitioner belongs either to him or to his family members.

3. However, learned senior counsel appearing on behalf of the petitioner submits that the petitioner has remained



in custody for three months more since his prayer for bail was allowed on 29.11.2023. Learned senior counsel further submits that on wrong instruction, the aforesaid submission was made and he tenders apology on behalf of the petitioner to the Court for inconvenience caused. Learned senior counsel further submits that similarly situated co-accused persons have been granted bail by a co-ordinate bench vide order dated 01.12.2023 in Cr. Misc. No. 76094 of 2023.

4. Having regard to the aforesaid facts and circumstances of the case. The last paragraph starting from “However....” and ending at “....will not be accepted” passed in order dated 29.11.2023 in Cr. Misc. No. 74383 of 2023 stands deleted.

5. With the aforesaid observation the petition stands allowed and the order dated 29.11.2023 stands modified to the aforesaid extent.

(Arun Kumar Jha, J)

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