

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17861 of 2024

In
CRIMINAL MISCELLANEOUS No.44229 of 2022

Arising Out of PS. Case No.-762 Year-2021 Thana- GARKHA District- Saran

-
1. Mukesh Kumar@ Mukesh Kumar Singh @ Mukesh Singh SON OF SHARWAN SINGH RESIDENT OF VILLAGE- KASOINA, PS- GARKHA, DISTT- SARAN AT CHAPRA
 2. SHARWAN SINGH SON OF JAGDISH SINGH RESIDENT OF VILLAGE- KASOINA, PS- GARKHA, DISTT- SARAN AT CHAPRA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nawal Singh, Adv.
For the Opposite Party/s : Mr.Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

7 19-03-2025 Heard learned counsel for the petitioners and learned APP
for the State.

2. The present application has been filed for modification
of the order dated 23.02.2023 passed in Cr. Misc. No. 44229/2022.

3. Learned APP for the State has submitted that the
present modification has been filed on behalf of the petitioners for
not mentioning the criminal antecedent of the petitioners in para. 3 of
the bail petition passed in Cr. Misc. No. 44229/2022. Learned
counsel has further submitted that a letter has been received bearing
Letter No. 231 dated 20.03.2024 from I/c A.C.J.M.-IV, Saran at
Chapra, regarding the criminal antecedent of the petitioners in Cr.
Misc. No. 17861/2024 and in Cr. Misc. No. 44229/2022 in



connection with Garkha P.S. Case No. 762/2021 in which the petitioner no. 1 namely, Mukesh Kumar Singh has one criminal antecedent i.e. Garkha P.S. Case No. 507/2020 under SC/ST Act whereas the petitioner no. 2 namely, Sharwan Singh has one criminal antecedent i.e. Garkha P.S. Case No. 262/2021 u/s 414 of the Indian Penal Code.

4. Considering the aforesaid facts and circumstances of the case as well as the fact that the reasons mentioned in the modification application are not tenable in the eyes of law as there is a suppression of fact regarding the criminal antecedent of the petitioners, this Court is not inclined to allow the modification application filed on behalf of the petitioners in connection with Garkha P.S. Case No. 762/2021 pending in the Court of learned J.M. 1st Class, Saran at Chapra.

5. Accordingly, the present modification application stands rejected and the petitioners are directed to surrender to the learned Court below within six weeks from the date of this order and the learned Court below shall consider the prayer of the bail of the petitioners on the same day without being prejudiced by this order.

(Chandra Prakash Singh, J)

Gautam/-

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

