

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19426 of 2025

In
CRIMINAL MISCELLANEOUS No.88163 of 2024

Arising Out of PS. Case No.-117 Year-2024 Thana- Manuapul District- West Champaran

Pappu Kumar S/O Shivdhar Mahto @ Shivdhar Pasi R/O Village- Jokaha,
Manuapool, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Preeti Kumari

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-04-2025 1. Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. The learned counsel for the petitioner submits that petitioner was granted the privilege of anticipatory bail by an order dated 08.01.2025 in Cr. Misc. No.88163/2024 with a condition that the learned trial court before accepting the bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event if it is found that petitioner has antecedent of even one case, in that event, the present anticipatory bail order shall not be given effect to. The learned counsel next submits that when petitioner had filed Cr. Misc. No.88163/2024, by that time, the petitioner was not aware that he has been implicated in Bettiah Town P.S. Case No.451/2024



dated 07.10.2024. It is submitted that Bettiah Town P.S. Case No.451/2024 was instituted against unknown whereas the petitioner in Manuapool P.S. Case No.117/2024 dated 07.10.2024, in which, he was granted anticipatory bail, was a named accused. It is also submitted that the petitioner was involved in a case relating to excise, in which, a motorcycle was also seized but then the petitioner was not the owner of the said motorcycle. It is next submitted that the owner of the motorcycle instituted Bettiah Town P.S. Case No.451/2024, as such the petitioner was not aware that a case has been instituted by the owner of the seized motorcycle in a different police station as such in Cr. Misc. No.88163/2024, the petitioner at paragraph-3 had pleaded that petitioner is a person with clean antecedent. The learned counsel for the petitioner thus submits that the instant modification application has been filed seeking modification of the condition of grant of anticipatory bail to the petitioner granted by an order dated 08.01.2025 in Cr. Misc. No.88163/2024. It is submitted at the cost of repetition that since the petitioner was not aware that the owner of the motorcycle has instituted a separate case, as such, in the anticipatory bail application it was pleaded that petitioner is a person with clean antecedent.



3. The learned APP also fairly submits that it appears that since two F.I.Rs. Came to be instituted on the same day and the F.I.R. instituted by the owner of the motorcycle was against unknown as such the petitioner may not have known that he has been implicated in the said case also.

4. Considering the submissions made by the learned counsel for the petitioner, the order dated 08.01.2025 in Cr. Misc. No.88163/2024 is modified to the extent that if the petitioner surrenders on or before 18.04.2025, his bail bonds shall be accepted on furnishing bail bonds of Rs.5000/- (Rupees five thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Manuapool P.S. Case No. 117/2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

5. The modification application is allowed to the extent indicated above.

(Satyavrat Verma, J)

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