

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.85798 of 2025**

**In**  
**CRIMINAL MISCELLANEOUS No.10119 of 2025**

Arising Out of PS. Case No.-45 Year-2024 Thana- Parihara District- Begusarai

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Phul Choudhary @ Phul Babu Choudhary Son of Late Madhab Choudhary  
Resident Of Village -Parihara, Ward No 5, Ps- Parihara, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Amar Kumar Singh, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

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**CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY**  
**ORAL ORDER**

2      19-12-2025                      Heard Mr. Amar Kumar Singh, learned counsel for the  
  
petitioner and the learned Additional Public Prosecutor for the  
  
State.

2. The present application has been filed for  
modification of the order dated 17.06.2025 passed in Cr. Misc.  
No. 10119 of 2025 whereby the petitioner was granted bail.

3. Learned counsel for the petitioner submits that  
inadvertently in paragraph-3 of the bail application (Cr. Misc.  
No. 10119 of 2025) it was mentioned about seven cases pending  
against his name however there were nine criminal antecedent  
of the petitioner.

4. It has been submitted that it was a bonafide mistake  
and therefore the same may be amended to the aforesaid extent



and the order dated 17.06.2025 be modified. It has further been submitted that the petitioner was initially released on bail upon furnishing of the bail bonds however upon verification of the criminal antecedent his bail bonds have been cancelled and therefore the need of the present modification application.

5. Learned APP for the State has opposed the prayer for modification of such order stating that the petitioner has suppressed the criminal antecedent and in view of the condition as contained in para-5(d) of the order dated 17.06.2025 this should be dismissed.

6. Considering the aforesaid submissions made by the parties, it has been observed that the petitioner was granted bail and there was a condition as contained in paragraph-5(d) which reads as under:

*“d. The Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the aforementioned order shall not be delayed for purpose of or in the name of verification.”*

6. In view of the same the present modification application cannot be allowed.

7. At this juncture, the learned counsel for the



petitioner submits that he shall surrender and file a fresh bail application and he may be permitted to withdraw the present application with the liberty as sought aforesaid.

8. Prayer is accorded.

9. Accordingly, the present application is dismissed as withdrawn with the liberty aforesaid.

**(Sourendra Pandey, J)**

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