

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4246 of 2017

Arising Out of PS.Case No. -713 Year- 2014 Thana -SAHARSA District- SAHARSA

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Suchit Kumar @ Rocket, son of Late Mohan Kumar Sinha, Resident of
Village- Kayasth Tola, P.S. +District- Saharsa

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Premchandra Yadav, Advocate

For the Opposite Party/s : Mr. Braj Kishore Prasad, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

6 12-07-2017 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

In pursuance of the earlier order passed by this Court,
a report was called for from the Superintendent of Police,
Saharsa as to whether any C.I.D. report had been submitted in
connection with Saharsa (Sadar) P.S. Case No.713 of 2014, as
had been submitted in paragraph 17 of the criminal
miscellaneous application. The statement made in paragraph 17
is quoted hereunder:

*“17. That the investigation of this case
was referred to the Criminal Investigation
Department and on 1.12.2016, Superintendent of
Police(D), C.I.D., Bihar, Patna has submitted an
enquiry report. In the entire report of S.P.(D),
C.I.D., Patna, no finger of any doubt was raised
against this petitioner. He is found nowhere in*



the picture. In the facts and circumstances, no case is made out against the petitioner.”

It appears from the report, submitted today, from the Superintendent of Police, Saharsa, as contained in Letter No.3619/Ap.Sha. dated 11.07.2017, that up till now, no such report dated 01.12.2016 was ever submitted by the C.I.D.

In that view of the matter, it is clear that the petitioner herein has made a false statement and has tried to mislead this Court into obtaining an order in his favour.

This Court had earlier passed an order regarding withholding of taking any coercive steps on the submission as advanced earlier, which is patently and manifestly false. This very statement now disentitles the petitioner from any relief from this Court.

The application for anticipatory bail, which had been entertained on the aforementioned fresh ground, was thus is a misnomer as no second anticipatory bail is permissible under law.

The criminal miscellaneous application is thus dismissed.

(Anjana Mishra, J)

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