

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42412 of 2016

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1. Sachchida Nand Sharma Son of Baidya Nath Sharma Resident of
Village- Navtol Nayanagar, P.S. Uda- Kishunganj, District Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Saket Tiwary

For the Opposite Party/s : Mr. Pawan Kumar Chaurasiya

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 28-06-2017

In view of the nature of dispute, the petitioner was granted provisional anticipatory bail by order, dated 24.10.2016, whereafter he is on bail in connection with Udakishunganj Police Station Case No. 159 of 2015.

I have heard learned Counsel for the petitioner, learned Counsel appearing on behalf of the informant and learned Additional Public Prosecutor for the State of Bihar.

Learned Counsel for the informant opposing the prayer for anticipatory bail has submitted that since the petitioner suppressed information regarding his criminal antecedent and since he has criminal antecedent, this Court should dismiss this application for anticipatory bail..

I have considered rival submissions and I have examined the nature of cases in which the petitioner has



been made accused.

Learned Counsel for the petitioner has submitted that the affidavit stating that the petitioner had no criminal antecedent was sworn by petitioner's father, which was, apparently, a bona fide mistake.

Taking a holistic view of the entire facts and circumstances, particularly, the fact that there is no material to show that petitioner ever misused the privilege of provisional anticipatory bail granted to him by order, dated 24.10.2016, this application is allowed.

The provisional bail, granted to the petitioner, above named, by order, dated 24.10.2016, stands confirmed.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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