

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23501 of 2017

Arising Out of PS.Case No. -38 Year- 2017 Thana -KAMTAUL District- DARBHANGA

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1. Tripurari Mishra, Son of Late Ram Bhagat Mishra.
 2. Ram Bahadur Pandey, Son of Raj Kumar Pandey, Resident of Village Madhopatti, P.S. Kamtaul, District Darbhanga.

.... Petitioners

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dharmendra Jha, Advocate.

For the Opposite Party/s : Mr.Sanjay Kumar Singh, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

6 09-08-2017 The matter was taken up for hearing on 24.05.2017. It was pointed out by the counsel for the informant that two separate bail applications have been filed on behalf of the petitioner, in respect to Kamtaul P.S. Case No.38 of 2017. The matter was sent for inquiry. The inquiry was conducted by the Registrar General, Patna High Court, Patna. A report has been submitted in the present case by the Registrar General dated 02.08.2017. The extract of the report is as follows:-

“After going through the facts placed before me as well as show cause Reply filed by the persons concerned, it is manifest to hold that while one application for Regular Bail on behalf of the petitioner, namely Sri Tripurari Mishra, is filed on 09.05.2017, and



for the similar Petitioner another Bail Application is filed or presented before this Hon'ble Court on 10.05.2017, could it be believable by any scratch of imagination that without having proper knowledge or information, the application for and on behalf of the similar Petitioner has been filed twice one day after another. Hence, the plea taken in the Show Cause Reply of the Deponent Smt. Chunni Devi, W/o the Petitioner is neither appears to be reliable or justifiable.

In view of the facts stated above, it clearly appears that the Deponent Smt. Chunni Devi has suppressed the fact in para no.02 of the Bail petition bearing Token no. 36701/2017 regarding filing of previous Bail Petition-Cr. Misc. No. 23501/2017- in collusion with the Petitioner, Sri Tripurari Mishra, who is her husband.

It is clear case of suppression of facts in a proceeding before the Hon'ble Court that too on Affidavit by the Deponent of the Bail Petition bearing Token No.36701/2017. Smt. Chunni Devi, in collusion with the Petitioner which is criminal act punishable under various sections of IPC.”

After going through the inquiry report, I am not



inclined to grant bail to the petitioner. The same is rejected in connection with Kamtaul P.S. Case No.38 of 2017, under Sections 363, 366(A)/34 of the Indian Penal Code and Section 418 of POCSO Act, pending in the court of learned Chief Judicial Magistrate, Madhubani.

It is a case of suppression of fact and such practices have become common these days, and in number of cases, such suppressions are being found. The Registrar General, Patna High Court, Patna is directed to proceed in light of his report dated 02.08.2017, and take necessary steps, in accordance with law, so that such practices in the High Court could be prevented.

With the aforesaid observation and direction, let this matter be placed before the Registrar General, Patna High Court, Patna for taking necessary steps.

The report dated 02.08.2017 be kept on the record.

(Sudhir Singh, J)

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