

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30220 of 2018

Arising Out of PS. Case No.-249 Year-2017 Thana- CHAKIA District- East Champaran

Ram Pukar Sahani, Son of Pradeep Sahani, Resident of Village- Baida
Baishaha, PS.- Chakia, District- East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Gupta
For the Opposite Party/s : Mr. Sri Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

4 04-07-2018 Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner, already in custody, seeks bail in connection
with Chakia P.S. Case No.249 of 2017 registered under Sections
461 and 379 of the Indian Penal Code.

The petitioner seeks bail though he was earlier
granted bail by this Court vide order dated 27.02.2018 passed in
Cr. Misc. No.11604 of 2018 but subject to verification of his
criminal antecedent as in the bail application, the petitioner had
asserted that he has no criminal antecedent. Now it is submitted
that inadvertently one criminal antecedent could not be
mentioned in the earlier application, therefore, the petitioner is
not being released.

The suppression of criminal antecedent in the earlier



bail application tantamounts to suppression of fact and by suppressing the fact the petitioner obtained the bail. However, the Court put a condition for verification of the criminal antecedent of the petitioner before release then it was detected and the trial court, as per direction, did not release the petitioner.

The aforesaid submission is misconceived in the facts of the case. The bail granted to the petitioner vide order dated 27.02.2018 passed in Cr. Misc. No.11604 of 2018 is hereby cancelled for suppression of the criminal antecedent of the petitioner.

The prayer of bail of the petitioner is rejected.

The trial court is directed to expedite the trial and preferably conclude the same within six months since the day of the framing of the charge.

If the trial is not concluded within the stipulated period, the petitioner may renew his prayer of bail.

(Arun Kumar, J)

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