

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17383 of 2019

Arising Out of PS. Case No.-66 Year-2018 Thana- MADHUBAN District- East Champaran

MD. JALAUDDIN Son of Md. Nezam @ Md. Newaj @ Shekh Nezam @
Nezamuddin Resident of Village- Lahladpur, P.S.- Madhuban, District- East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 16-07-2019 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Madhuban Police Station Case No. 66 of 2018, disclosing
offences under Sections 341/342/307/34 of the Indian Penal
Code and Section 27 of the Arms Act.

The allegation against the petitioner is that the
petitioner is order giver and upon his order, Md. Kalim fired
upon the informant, causing fire arm injury.

Learned Counsel for the petitioner submits that the
petitioner is merely an order giver and he deserves to be
enlarged on anticipatory bail.

Learned Additional Public Prosecutor draws attention



of this Court to paragraph 3 of the bail application, wherein the petitioner has declared that he has got no criminal antecedent and the petitioner is being specific about that by explaining the fact that the impugned order wrongly records regarding his criminal antecedent. Learned Additional Public Prosecutor, referring to paragraph 41 of the case diary, submits that altogether three criminal cases are pending against the petitioner, which has been deliberately suppressed by the petitioner and considering the conduct of the petitioner, he does not deserve privilege of anticipatory bail.

After having heard learned Counsel for the parties and taking into consideration the fact that wrong statement has been made in the bail application regarding criminal antecedent of the petitioner, I am not inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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