

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44059 of 2019

Arising Out of PS. Case No.-130 Year-2019 Thana- MADHAURAH District- Saran

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AMIT RAI @ AMIT KUMAR Son of Ram nath Rai Resident of Village-
Asoiya (Asaiya), Police Station- Marhowrah, District- Saran at Chapra.
... .. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner : Mr.Dewendra Narayan Singh
For the Opposite Party : Mr. R.B. Roy 'Raman', APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

6 02-12-2019 A show cause notice was issued to the petitioner by order dated 18.11.2019, asking him to file an affidavit as to why the anticipatory bail allowed to him vide order dated 30.09.2019 be not cancelled.

The Court has taken note of the fact that the petitioner had suppressed and had made a false statement in respect of his criminal antecedent inasmuch as he had made specific statement in paragraph 3 of the application that he did not have any criminal antecedent. In the First Information Report, he was described as a mafia. Considering the aforesaid statement and other attending circumstances, the Court had allowed him privilege of anticipatory bail.

The Court had wanted Officer-in-Charge of the Police Station to inform this Court as to why he had been described as mafia though there was no case pending against him, in



pursuance of which, a counter affidavit has been filed by the S.H.O., Marhowrah Police Station, Saran. He has stated in his affidavit that there are at least four more cases registered against him. The petitioner has filed a supplementary affidavit, from which it appears that he has admitted that incorrect statement was made before this Court in his application seeking anticipatory bail.

Considering the facts and circumstances, the bail bonds, furnished by the petitioner in compliance of the order of this Court dated 30.09.2019, are directed to be cancelled. The petitioner is directed to appear before the Court below within two weeks from today and apply for regular bail, if so advised. It goes without saying that the present order should not prejudice the Court below, while considering the petitioner's application for regular bail, which shall be decided on its own merits.

(Chakradhari Sharan Singh, J)

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