

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44116 of 2019

Arising Out of PS. Case No.-113 Year-2019 Thana- CHHATAPUR District- Supaul

1. Md. Ali Haque Son of Late Abdul Rehman Resident of Village - Kathara, P.S.- Chhatapur, Distt - Supaul.
2. Md. Sayyed Son of Md. Ali Haque Resident of Village - Kathara, P.S.- Chhatapur, Distt - Supaul.
3. Mumtaz @ Md.Mumtaz Son of Md. Ishaque Resident of Village - Kathara, P.S.- Chhatapur, Distt - Supaul.
4. Auranzeb @ Aurangzeb @ Md.Auranzeb Son of Md. Ishaque Resident of Village - Kathara, P.S.- Chhatapur, Distt - Supaul.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Arun, Advocate
For the Informant	:	Mr. Pranav Kumar Jha, Advocate
		Mr. Subodh Kumar Jha, Advocate
For the State	:	Mr. Anita Kumari Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 08-11-2019 Perused the show cause filed on behalf of the deponent. His submission is that he had sworn affidavit on the instruction of the female member of the family who was herself unable to travel to Patna being a *Pardanasheen* lady and had advised the deponent to swear affidavit without disclosing about the previous F.I.Rs. The deponent has submitted that he had no opportunity on earlier occasion to conduct any pairvy in a case and he had sworn the affidavit for the first time in any case, therefore his unconditional



apology may be accepted as he undertakes not to commit such mistake in future.

Learned counsel for the informant is present and in the given facts and circumstances he submits that he would have no objection if the show cause is accepted by this court.

In the given facts and circumstances of the case, on finding that the deponent is said to have sworn affidavit for the first time in any case and the mistake has occurred because of wrong instruction given to him by the female member of the family as also that he has undertaken not to commit such mistake in future, this court accepts the show cause. The petitioner should be cautious in future and in case he is found involved in repeating this mistake, serious view of the matter shall be taken. No further action is required.

The application stands disposed off.

(Rajeev Ranjan Prasad, J)

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