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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 44/2019**

RAHUL PRASAD Petitioner

Through: Mr. K.N. Jha, Advocate

versus

STATE OF NCT Respondent

Through: Mr. Ashish Dutta, APP with SI
Sandeep Malik, PS:Domestic
Airport, Delhi

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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10.01.2019

1. The present anticipatory bail application has been filed under Section 438 of the Code of Criminal Procedure, 1973, impugning the order dated 4.1.2019 passed by the learned Additional Sessions Judge, wherein it is stated that it is the third application that the petitioner has moved under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail. The learned Additional Sessions Judge dismissed the anticipatory bail application of the petitioner on the ground of concealment of fact of dismissal of previous applications and the grounds stated therein.

2. I do not find any ground to interfere or to set aside the impugned order of the learned Additional Sessions Judge since it is the duty of the petitioner to disclose all the facts including the applications which the petitioner had moved before the

Court as well as the grounds stated therein and the orders thereon. The petition was certainly liable to be dismissed on the ground of concealment of facts and was dismissed correctly by the learned Additional Sessions Judge.

3. Learned counsel for the petitioner further submitted that the petitioner has made certain payments to the complainant. However, this Court is not concerned today with the fact whether the petitioner has made certain payments to the complainant or not. If there would be change of circumstances the petitioner may move an appropriate application, if any, as per law before the competent Court.

4. The anticipatory bail application is disposed of in the above terms.

CHANDER SHEKHAR, J

JANUARY 10, 2019
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