

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.5865 of 2020**

Arising Out of PS. Case No.-280 Year-2019 Thana- AURANGABAD TOWN District-
Aurangabad

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AVINASH SINGH @ MOHAN SINGH S/o Bhushan Singh @ Anand Kumar
Singh Resident of Mohalla- New Area, P.S.- Town, Distt- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Singh, Sr.Adv.

Mr.Bhaskar Shankar, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 29-06-2020 Heard learned senior counsel for the petitioner and
learned APP for the State.

Petitioner in the present case is seeking anticipatory
bail in connection with Town P.S. Case No.280 of 2019
registered for the offences punishable under Sections 420, 406,
34, 504 and 506 of the I.P.C. pending in the court of learned
C.J.M., Aurangabad.

Today, when the matter was called out, Mr. Krishna
Singh, learned senior counsel representing the petitioner
admitted that in paragraph '3' of the application complete
disclosure of all the criminal antecedents of the petitioner has
not been made. It has also been admitted in course of



submission that the statement made in paragraph '8' of the petition that the petitioner had never gone to jail since 01.07.2013 when he was released in connection with Aurangabad (T) P.S. Case No.39 of 2013, is not correct. It is a fact that the petitioner has served a sentence of six years in prison, therefore what has been stated in paragraph '8' of the petition is in fact a false statement made by the deponent who is none-else but the father of this petitioner.

Learned counsel for the informant as well as learned APP for the State have opposed the present application and they have submitted before this Court that a clear attempt has been made by this petitioner to obtain an order from this Court by making a false statement, but for the appearance of learned counsel for the informant the Court might have proceeded to believe the statements made in the application.

This Court is, at this stage, of the considered opinion that the petitioner has not come clean before this Court and by not disclosing his complete criminal antecedent and by reiterating that he had not served the jail sentence of six years, he had only made a false statement before this Court. Since, it is an admitted position that the statements are false, this Court directs the learned Registrar General of this Court to conduct an



enquiry within six weeks and after finding out as to who are the persons liable for proceeding against, file an appropriate complaint before the competent court in accordance with law.

This Court is not granting anticipatory bail to the petitioner in the present case after finding that he has been involved in so many cases and his conduct in the present case is not clean.

This application is, thus, disposed of with the aforesaid observations and directions to the learned Registrar General of this Court. This Court shall be apprised of the result of enquiry.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

