

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22063 of 2020

Arising Out of PS. Case No.-709 Year-2019 Thana- GOPALGANJ TOWN District-
Gopalganj

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Dablu Pathak, aged about 30 years, Son of Sudhir Pathak @ Sudhir Kumar Pathak Resident of Village- Amwa Nakchhed, P.S.- Gopalganj Town, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Kumar Singh

For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 18-12-2020 Heard Mr. Umesh Kumar Singh, learned counsel for the petitioner and Mr. Ranjit Kumar Singh for the Informant as also Mr. Humayu Ahmad Khan, representing the State.

In the present case, the petitioner is apprehending his arrested in connection with Gopalganj P.S. Case No. 709 of 2019 instituted for offence under Sections 341, 323, 324, 307, 504, 506 and 34 of the Indian Penal Code.

It has been alleged that the Informant had gone to his field and found that the accused persons were illegally uprooting the sugarcane and loading the same in the trolley of the tractor. On protest, the accused person, namely, Dablu Pathak inflicted knife blow on the Informant, whereafter, the Informant fell down and was brought to the Sadar Hospital,



Gopalganj and, from there, he was referred to Gorakhpur for better treatment.

Learned counsel for the petitioner submits that there is no direct allegation against the petitioner rather the same has been leveled against Mukesh Pathak who has pierced the knife on the Informant.

Learned counsel for the petitioner in paragraph no.3 of the present application has stated that the petitioner has no criminal antecedent but, Mr. Ranjeet Kumar Pandey, learned counsel for the Informant submits that for getting favorable order from this Court, the petitioner has suppressed the material fact from this Court as having stated that there is no criminal antecedent against the petitioner whereas the petitioner is carrying altogether four criminal cases on his head bearing Gopalganj Town P.S. Case No. 46 of 2016, Gopalganj Town P.S. Case No. 506 of 2017, Gopalganj Town P.S. Case No. 461 of 2017 and Gopalganj Town P.S. Case No. 257 of 2018 respectively.

In view of the fact that it is a very serious matter of suppression of fact regarding criminal antecedent of the petitioner this application, for anticipatory bail, is dismissed with a cost of Rs. 20,000/- to be recovered from the Deponent of



this application, namely, Sri Sudhir Pathak @ Sudhir Kumar Pathak who is the father of the petitioner. The cost will be deposited by the Deponent in favour of Patna High Court Legal Services Committee within a period of four weeks from today, failing which the Collector of Gopalganj district will recover the same as a land revenue. After deposition of the cost of Rs. 20,000/-, the petitioner will file a receipt before this Court showing deposit of the cost.

Let a copy of this order be communicated to the Collector, Gopalganj for strict compliance of this order.

(Shivaji Pandey, J)

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