

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23022 of 2021**

Arising Out of PS. Case No.-265 Year-2020 Thana- BIKRAMGANJ District- Rohtas

Kurban Ali @ Md. Kurban Ali, Son of Late Nizamuddin Rain, R/O Village-
Tenduni Chowk, Ward No.-3 Bikramganj, P.S.- Bikramganj, District- Rohtas
at Sasaram.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dharmendra Kumar Singh, Adv.

For the Opposite Party/s : Mr.Kanhaiya Kishore (APP 100)

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 26-10-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Vide order dated 13.09.2021, a report was called for
from the Court of Special Judge, N.D.P.S. Act, Sasaram at
Rohtas in connection with Bikramganj P.S. Case No. 265/2020,
as to why and under what circumstances bail has been granted
to the petitioner, *albeit* the bail application of the petitioner is
pending before this Court for consideration.

In compliance of the aforesaid order, the learned
Additional Sessions Judge, XV, Sasaram, Rohtas has sent a
report dated 20.09.2021, which is at Flag 'X' to this application.
The learned Judge has, *inter alia*, stated that in the bail petition
filed before the learned court below, the petitioner has clearly



declared and certified that, no any other bail application has been filed in this Court and in the Hon'ble High Court, Patna and, accordingly, considering the merits of the case, the petitioner was allowed to release on bail.

Considering the facts and circumstances of the case as also the report of the learned Judge, I am of the considered opinion that the petitioner has suppressed the material fact from this Court as also from the learned Court below, which is not permissible in law, and for this he has to face the consequences. Accordingly, the learned Court below is directed to cancel the bail bonds of the petitioner forthwith and to take further steps in accordance with law and informed this Court.

With the aforesaid observation and direction, this application stands disposed of.

(Anjani Kumar Sharan, J)

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