

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31175 of 2020

Arising Out of PS. Case No.-139 Year-2020 Thana- SIDHWALIYA District- Gopalganj

Arun Kumar Yadav Son of Lakhindra Yadav @ Lakhindra Ray Resident of
Village - Mathbanwari, Police Station - Piprakothi, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 18-01-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This criminal miscellaneous application was filed on 28.09.2020. Prior to filing of this application the petitioner had already renewed the prayer for bail before the Court-below on 27.08.2020 as the Court-below had permitted the petitioner to renew the prayer for bail after completion 105 days of custody. On renewal of prayer the Court-below has granted bail to the petitioner on 20.10.2020 which is evident from the report of the Court-below.

Once the petitioner renewed the prayer before the Court-below it should have been disclosed in this application. Moreover, the petitioner has suppressed one more fact that petitioner had not approached this Court for regular bail in this



matter. Rather Cr. Misc. No.34627 of 2020 was filed for bail and was withdrawn, which is evident from the report of the learned trial Judge dated 19.12.2020.

Considering the act of the petitioner in playing fraud in the Court, this Court was inclined to take stern action against the petitioner. However, the petitioner is the first offender of this nature, hence, let the petitioner deposit rupees ten thousand in the Victim Compensation Fund and report to the Court-below within four weeks. In the event of non-deposit of the aforesaid amount it would be treated as misuse of the privilege of bail granted by the Court-below and the Court-below shall proceed according to law for cancellation of bail as well as for recovery of this amount.

Accordingly, this application stands disposed of.

(Birendra Kumar, J)

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