

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24125 of 2021

Arising Out of PS. Case No.-344 Year-2018 Thana- FATEHPUR District- Gaya

RAHUL KUMAR SON OF ANUJ SINGH RESIDENT OF VILLAGE-
PAKARI, POLICE STATION- FATEHPUR, DISTRICT-GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Pushkar Narayan Shahi, Sr. Advocate Mr. Gajendra Kumar Singh, Advocate
For the Opposite Party/s :	Mr. Shailesh Kumar, Advocate Mr. Abhay Kumar, A.P.P

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

5 24-01-2022 Heard the parties through video conferencing.

It is submitted on behalf of the petitioner that the *Pairvikar* of the case is a Pardanasheen lady and as such she was not having knowledge with respect to the criminal antecedent of the petitioner. However, on his personal endeavour, learned counsel has been able to bring on record that the petitioner has been made accused in several other cases, as stated in paragraph No.2 of the supplementary affidavit, and in such circumstances, he seeks permission to withdraw the application filed on behalf of petitioner.

Law is well settled in this regard that false averments in pleadings are sufficient to attract Chapter XI of the Indian Penal Code. In this case, petitioner has filed a petition containing false averments. This practice of having made a false



statement incorporated in an affidavit filed before a Court should always be deprecated.

In view of the above submission, the application filed on behalf of the petitioner is dismissed as withdrawn in view of the fact that Pairvikar is a Pardanasheen lady, who is not expected to have committed the above statement made in paragraph No.3 of the present bail application knowingly or deliberately with an intention to obtain favourable order. The petitioner, if so advised, may file fresh application without suppressing any fact in affidavit. The petitioner may utilize / or get order of exemption from filing the certified copy of the impugned order etc. If such application is filed, the office is directed to place the record of the present case along with fresh bail application forthwith.

(Purnendu Singh, J)

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