

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16233 of 2022

Arising Out of PS. Case No.-04 Year-2020 Thana- TELHARA District- Nalanda

Pawan Rajak Son Of Dinesh Rajak Resident Of Village -METRA Police Station - Ghoshit District -JEHANABAD, Present Address- Bahadurpur Railway Gumti, Durga Sthan, P.S- Bahadurpur, Dist- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Arbind Kumar, Advocate
For the Opposite Party/s : Dr. Indiwari Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 26-07-2022 Heard the parties.

The petitioner is in custody in connection with Telhara P.S. Case No. 4/2020 under section 379 of the Indian Penal Code.

When this bail application was called out, the learned counsel for the petitioner submitted that for the same cause of action, i.e. for grant of bail to the petitioner, he has preferred two bail applications bearing Cr. Misc. No. 71574 of 2021 (Pawan Rajak vs. the State of Bihar) and Cr. Misc. No. 16233 of 2022 (Pawan Rajak vs. the State of Bihar).

The Cr. Misc. No. 71574 of 2021 was disposed of on 7.4.2022 by a coordinate bench of this Court allowing bail



to the petitioner. In the said bail application, counsel for the petitioner (who appeared in both the bail applications) chose not to inform the said Court that by mistake he has preferred two bail applications.

When this matter was taken up on 12.7.2022, learned counsel for the petitioner submitted that this petitioner has already been granted bail in Cr. Misc. No. 71574 of 2021 and as such (due to fault he has preferred two bail applications), this bail application may be permitted to be withdrawn.

The matter was adjourned as the learned counsel for the petitioner intended to file supplementary affidavit which has been filed and in para-5 he has submitted that it was only due to mistake, two bail applications arising out of Telhara P.S. Case No. 4 of 2020 (lodged under section 379 of the IPC) against the petitioner was preferred. He has tendered unqualified apology and has assured this Court that such mistake will not be repeated in future.

Learned counsel for the petitioner Mr. Arvind Kumar is cautioned that such act of his can have serious repercussion. He should be careful in future.

As prayed for, this application is permitted to be



withdrawn.

This bail application is dismissed as withdrawn.

(Rajiv Roy, J)

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