

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31158 of 2022

In
CRIMINAL MISCELLANEOUS No.58617 of 2021

Arising Out of PS. Case No.-231 Year-2021 Thana- SUGAULI District- East Champaran

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NASRUDDIN ANSARI Son of Late Pagambar Ansari Resident of Village -
Uttari Buchha, P.S.- Sugauli, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anshu Dhar Sharma, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 20-07-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

The bail application (Cr. Misc. No. 58617 of 2021)
was filed on 23rd of September, 2021. Paragraph-3 of the bail
application read as follows :-

“ that the petitioners have no criminal
antecedent”

The matter was taken up on 12.04.2022 i.e. seven
months after the filing of the bail application.

Taking into consideration that the petitioner no. 1,
namely, Nasaruddin Ansari has no criminal antecedent, as one
of the points, this Court granted him the privilege of bail.
However, once the bail was allowed, a modification petition has



been filed and it is essential to incorporate Paragraph No. -3
which reads as follows :-

“ that it is pertinent to mention here that
in para 3 of the Cr.Misc. No. 58617 of 2021 as per
instruction of the parvikar of the client it was
submitted that petitioner has no criminal antecedent
and on that basis Your Lordship has directed to
verify the criminal history of the petitioner and as a
matter of fact the petitioner has the following
criminal antecedent such as follows :-

(1) Sugauli P.S. Case No. 112/2010,
Registered U/S 147, 148, 149, 323, 324, 307, 379
of the IPC – On Bail.

(2) Sugauli P.S. Case No. 330/2020,
Registered U/S 323, 341, 427 & 34 of the IPC- On
Bail.

(3) Sugauli P.S. Case No. 371/2020,
Registered U/S 147, 149, 341, 323, 324, 354(B),
379506 of the IPC – On Bail.

(4) Sugauli P.S. Case No. 162/2021,
Registered U/S 143, 341, 323, 324, 307, 354(B),
379, 427, 504, 506 of the IPC – On Bail.”



A bare perusal of paragraph-3 shows that not only the petitioner was having complete knowledge of all the criminal cases pending against him, he had filed application for bail and as per the statement in paragraph-3, he is/was on bail in all such cases.

Taking into account the fact that it was deliberate attempt by the petitioner to get the privilege of bail that he chose to mention in Paragraph No-3 that he has no criminal antecedent tried to mislead this Court. It is a fit case in which direction can be given for his prosecution but the Court limits itself to the bail application.

Considering the fact that the petitioner no. 1, namely, Nasaruddin Ansari concealed the facts that he was accused in four criminal cases, this Court is not inclined to grant him the privilege of bail and the bail application in the aforesaid circumstance stands rejected.

(Rajiv Roy, J)

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