

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 40839 of 2021

Arising Out of PS. Case No.-236 Year-2020 Thana- SAHEBPUR KAMAL District-
Begusarai

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DEEPAK YADAV @ DEEPAK KUMAR S/o Ashok Yadav @ Ashok Prasad
Yadav Resident of Village- Heera Tol, P.S.- S. Kamal, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate

For the Opposite Party/s : Mr. Veena Rani Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

6 31-03-2022 Heard the parties.

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In view of the above submission, the application filed on behalf of the petitioner is dismissed as withdrawn in view of the fact that Pairvikar is a Pardanasheen lady, who is not expected to have committed the above statement made in paragraph No.3 of the present bail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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