

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40928 of 2021

Arising Out of PS. Case No.-230 Year-2016 Thana- DARIYAPUR District- Saran

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MUNNA RAI @ MUNNA KUMAR Son of Kameshwar Rai Resident of
Village- Ramgarha, P.S.- Awatar Nagar, District- Saran at Chapra.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 07-03-2022 Heard learned counsel appearing on behalf of
petitioner and learned A.P.P. for the State.

It is submitted on behalf of the petitioner that the *Pairvikar* of the case has not given correct statement with respect to the criminal antecedent of the petitioner. However, on his personal endeavour, learned counsel come to know that petitioner has been made accused in several other cases and in such circumstances, he seeks permission to withdraw the application filed on behalf of petitioner.

Law is well settled with regard to false averments the pleading are sufficient to attract Chapter XI of the I.P.C. In this case *Pairvikar* of the petitioner has filed the present bail application containing false averments in paragraph No.3. This practice of having made a false statement incorporated in an



affidavit filed before Court should always be deprecated.

In view of the above submission, the application filed on behalf of the petitioner is dismissed as withdrawn.

The petitioner, if so advised, may file fresh application without suppressing any fact on affidavit. The petitioner may utilize the certified copy of the impugned order etc. to avoid any further delay. If such application is filed, the office is directed to place the present case along with fresh bail application.

(Purnendu Singh, J)

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