

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.42388 of 2021**

Arising Out of PS. Case No.-10 Year-2021 Thana- CHANDAUTI District- Gaya

PINTU PASWAN @ BUDDHU PASWAN Son of Basant Paswan Resident of
Village - Jamune, P.S.- Chandauti, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Ajay Kumar No.2, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 16-02-2022 Mr. Binod Kumar, learned counsel for the petitioner

prays for some time to file a supplementary affidavit to bring on

record the criminal antecedent of the petitioner.

Learned counsel for the petitioner submits that in
paragraph '3' of the present petition the petitioner has stated that
he has no criminal antecedent.

Learned APP for the State submits that this is a case
of concealment of criminal antecedent. Since the case has now
been listed before this Court in which while granting bail to an
accused a condition is imposed in all the bail orders that the
learned court below shall verify the criminal antecedent of the
petitioner and if it is found to have been concealed then his bail
bond shall be cancelled, perhaps taking note of the situation
now the petitioner wants to file a supplementary affidavit.



Learned APP submits that this practice must be deprecated and the persons who are not coming with clean hands before this Court should not get this indulgence.

This Court fully accepts the view of the learned APP for the State. The Court has recently noticed that in some of the matters this practice is being followed that only after sensing that the petitioner may not be released later on because of non-disclosure of the complete criminal antecedent, time is prayed to file supplementary affidavit. This practice is required to be discouraged.

In the circumstances, this Court is not inclined to grant any time to file supplementary affidavit.

Mr. Binod Kumar, learned counsel, at this stage, seeks permission to withdraw this application with liberty to file a fresh application giving complete antecedent.

Permission is granted.

This application is dismissed as withdrawn with the liberty aforesaid.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

