

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44184 of 2021

Arising Out of PS. Case No.-108 Year-2020 Thana- BENIPATTI District- Madhubani

1. RAKESH SAHNI SON OF BRIJNANDAN SAHNI R/O VILLAGE- PARSAUNI, P.S.- PUPRI, DISTRICT- SITAMADHI (BIHAR)
2. SUSHIL SAHNI SON OF DINESH SAHNI R/O VILLAGE- PARSAUNI, P.S.- PUPRI, DISTRICT- SITAMADHI (BIHAR)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagan Deo Yadav, Advocate.
		Mr. Udesb Kumar Yadav, Advocate.
For the Opposite Party/s	:	Mr. Kumar Ranjit Ranjan, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

7 05-04-2022 Heard the parties.

It is submitted on behalf of the petitioners that the *Pairvikar* of the case has not given correct information with respect to the criminal antecedent of the petitioners and as such incorrect statement has been made in Para-3 of the bail petition.

The learned counsel for the petitioners submits on his own endeavour that the petitioners have been made accused in several other cases, and in such circumstances, he seeks permission to withdraw the application filed on behalf of petitioners.

Law is well settled with regard to false averments in the pleading are sufficient to attract Chapter XI of the I.P.C. In



this case Pairvikar of the petitioners has knowingly and deliberately made false statement/information in paragraph No.3 of the present bail application. This practice of having made a false statement incorporated in an affidavit filed before Court should always be deprecated and entail appropriate legal action against the accused persons.

In view of the above submission, the application filed on behalf of the petitioners is dismissed as withdrawn.

The petitioners, if so advised, may file fresh application without suppressing any fact on affidavit. The petitioners 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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