

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53804 of 2021

Arising Out of PS. Case No.-101 Year-2020 Thana- INDUSTRIAL District- Bhagalpur

MD. NOOR Son of Late Lokman Resident of Village- Chourka Fatehpur,
P.S.- Industrial Area, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ramjee Prasad Singh S/o Late Ajablal Singh R/o- Chouka Fatehpur, P.S.-
Industrial Area, Distt.- Bhagalpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjeev Ranjan, Advocate.
For the Opposite Party/s	:	Mr. Satyendra Narayan Singh, APP.
For the Informant	:	Ms. Geeta Kumari Jha, Advocate.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

13 04-01-2023 Heard Mr. Sanjeev Ranjan, learned counsel for the petitioner; Ms. Geeta Kumari Jha, learned counsel for the informant and Mr. Satyendra Narayan Singh, learned Additional Public Prosecutor for the State.

Earlier the matter was being represented by Mr. Rajive Ranjan Singh, learned advocate of this Court, however, having found falsity in his statement made before this Court on 20.01.2022, he has given no objection to the petitioner and thereafter, on behalf of the petitioner, Mr. Sanjeev Ranjan, filed a fresh Vakalatnama and appearing on his behalf.

Mr. Sanjeev Ranjan, learned counsel for the petitioner submits at the bar that on the last occasion on account of



misconception, a submissions has been made on behalf of the earlier learned counsel that the amount, in question, had already deposited through RTGS, which is not the fact rather the instruction was given to seek a short adjournment to ensure the payment of Rs. 6 Lakhs, which was promised by the petitioner by giving undertaking before this Court. It is further submitted that there is no deliberate or intentional laches on the part of the petitioner rather the same was done on account of miscommunication between the earlier learned counsel and the petitioner and today the new counsel for the petitioner has come out with the demand drafts of Rs. 6 Lakhs bearing nos. 816292 and 816293 each amounting to Rs. 3 Lakhs. The aforesaid demand drafts have been handed over to the learned counsel for the informant, which has been duly accepted by her.

At this juncture, learned counsel for the State submits that the action of the petitioner prima facie not only appears to be callous and reprehensible rather it appears to be contemptuous in as much as time without number he has made incorrect statement, earlier he had presented before this Court a cheque which was later on dishonoured on account of insufficiency of fund and on the last occasion, it has been submitted that the payment has been made through RTGS and



taking into account the statement at the bar this Court had not intended to take any action against the petitioner and the lawyer concern.

Be that as it may, this Court finds that the action of the petitioner is prima facie deceitful and contemptuous and as such, this Court imposes a cost of Rs. 10,000/- which shall be deposited by the petitioner to the Patna High Court Legal Services Committee preferably within a period of two weeks, failing which the bail bond of the petitioner shall stood cancelled.

Accordingly, the present bail application stands disposed of.

(Harish Kumar, J)

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