

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49374 of 2022

In
CRIMINAL APPEAL (SJ) No.979 of 2022

Arising Out of PS. Case No.-29 Year-2021 Thana- BAHADURPUR District- Darbhanga

Abhay Singh Son Of Niranjan Singh R/V- Thothopur, P.S- Baheri, Dist- Darbhanga , At Present Resident of Basera Colony, Laheriasarai, Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratanakar Jha, Adv

For the Opposite Party/s : Mr.Binay Krishna, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 21-09-2022 Heard Mr. Ratanakar Jha, learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

Learned counsel for the petitioner filed a modification application stating therein that on account of inadvertence in paragraph-3 of the memo of appeal, the correct position of the criminal antecedent of the petitioner could not be mentioned because of non- disclosure of the fact by the deponent, however, the petitioner is involved in four other criminal cases besides the present one. The deponent seeks apology for the inadvertence as he being brother -in-law of the petitioner was not well aware of the correct position.



Learned Additional Public prosecutor for the State submits that this is a case of suppression of fact and the deponent should be appropriately punished.

Considering the aforesaid submission, this court is not satisfied with the submissions made on behalf of the deponent and deems it fit and proper to impose a cost of Rs. 10,000/- (Rupees ten thousand) which shall be paid by the deponent within a period of two weeks from today before the Patna High Court Legal Services Committee.

Accordingly, the modification application is allowed and the paragraph-3 of the memo of appeal be modified to the extent that the petitioner is involved in four other criminal cases as mentioned in Paragraph-4 of the modification application besides one mentioned in bail application.

(Harish Kumar, J)

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