

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70496 of 2021

Arising Out of PS. Case No.-129 Year-2020 Thana- BARHAT District- Jamui

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Tulsi Yadav, Son of Late Ganesh Yadav, Resident of Village- Parniya, P.S.-
Barhat, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satya Prakash Parasar, Advocate
For the State : Dr. Indihar Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

7 20-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Vide order dated 09.11.2022, a report was called for from the learned trial court as to how the petitioner was granted bail when the matter was pending for consideration before this Court. Since the report remained unreceived till 06.12.2022, when the matter was last taken up and an express reminder was sent to the learned trial court. However, the report bearing letter no. 184 of 2022 dated 16.11.2022 has been received in the office and the same has been annexed with the record along with some annexures. In its report, learned trial court has submitted that when the prayer for bail of the petitioner was rejected by learned A.D.J. 1st Jamui, in B.A. No. 644 of 2021 passed on 25.09.2021, an observation was made to renew his prayer for

bail after framing of charge. Learned trial court has further submitted that learned advocate deliberately concealed the fact that the petitioner had filed bail petition at the Hon’ble High Court of Patna and the same was pending. From the petition, filed before the learned trial court it appears that the petitioner has concealed the fact regarding pendency of his bail petition before this Court and has not mentioned in paragraph no. 2 of the bail petition.

In view of the aforesaid facts, it is apparent that the petitioner has concealed the pendency of his bail petition before this Court and has obtained the bail by playing fraud upon the learned trial court. Under the circumstances, learned trial court is directed to take appropriate steps in the matter for concealment of fact before it.

The matter stands disposed of from this Court.

(Arun Kumar Jha, J)

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