

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62735 of 2022

In
CRIMINAL MISCELLANEOUS No.24128 of 2022

Arising Out of PS. Case No.-408 Year-2021 Thana- CHANDAUTI District- Gaya

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Kameshwar Yadav Ram Balak Yadav R/O Village- Araddih, Dharampur, P.S.-
Chandauti, Distt- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar Yadav
For the Opposite Party/s	:	Mr. Prem Kumar Jha
For the Informant	:	Mr. Manoj Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 23-11-2022 The present petition has been filed under Section 482 of the Cr. PC for modification of condition no. 4 of the order dated 14.09.2022 passed by this Court in Cr. Misc No. 24128 of 2022.

In the course of hearing, Ld. Counsel for the petitioner submits that besides Chandauli P.S. Case No. 79 of 2010, two other criminal cases are also pending against the petitioner which could not be mentioned in the bail petition inadvertently. He further submits that Trial Court did not accept his bail bond in view of the condition no.4 of the bail order dated 14.09.2022 passed by this Court in Cr. Misc



No. 24128 of 2022, as per which " *In case, it is brought to the notice of the court below that the petitioner has criminal antecedent other than the disclosed one, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.*"

However, Ld. Counsel for the petitioner concedes that the petitioner is on bail in both the aforesaid additional Criminal cases pending against him. As such, the petitioner cannot claim that he has no knowledge of those cases. But despite such knowledge the petitioner had not mentioned his criminal antecedents in the bail petition bearing Cr. Misc No. 24128 of 2022 in which order dated 14.09.2022 was passed by this Court. As such, it appears that it a classic case of concealment of criminal antecedents by the petitioners to mislead the Court and get the bail.

As such, there is no illegality in the impugned order.

The petition is dismissed accordingly for want of



any merit.

However, the petitioner is given liberty to file his fresh bail bond in pursuance of the order dated 14.09.2022 passed by this Court in Cr. Misc No. 24128 of 2022 after six months and the Court below would accept it, if it is otherwise found in order.

(Jitendra Kumar, J)

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