

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34898 of 2023

Arising Out of PS. Case No.-440 Year-2022 Thana- UDAKISHUNGANJ District-
Madhepura

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PRITHWI YADAV S/O LATE KUSUMLAL YADAV R/V- Biri Ranpal, Ward
No.- 4, P.S.- Udakishunganj, District- Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar
2. MAHANT NAGESHWAR DAS C/O KABIR MATH R/V- Biri Ranpal,
Ward No.- 1, P.S.- Udakishunganj, District- Madhepura.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amrit Abhijat, Advocate
For the Opposite Party/s : Mr.Umesh Lal Verma, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 23-08-2023 Heard the parties.

It has been pointed out by the office that the petitioner has preferred two bail applications. The earlier being Cr. Misc. No.25512 of 2023 which was allowed by a coordinate bench of this Court on 19.05.2023.

Mr. Amrit Abhijat, learned counsel for the petitioner submits that this was never informed to him. Upon finding the defects in the petition, he immediately contacted the person who had put the petition on affidavit, Mr. Sachchidanand Yadav



(cousin brother of the petitioner), son of Vidyanand Yadav, resident of village + P.O.-Biri Ranpal, P.S.- Udakishunganj, District- Madhepura, but he failed to give any response.

When the matter was listed today he persuaded whereafter the person concerned is present in-person. He submits his apology and informed that he was unaware of the fact that the petitioner had earlier preferred petition through Nalin Chandra who was also another cousin brother of the petitioner. He further submits that this is first instance and as such he may be exonerated of the charges and he intends to pay Rs.5000/- to Patna High Court Legal Services Committee as repentance within a period of one week from today.

As per Mr. Amrit Abhijat, Advocate, he too was unaware of the aforesaid facts. He is cautioned to remain agile and check through the P.S. number whether the petitioner has preferred any such petition earlier or not before filing the same.

Considering all the aforesaid facts, the apology of the 'pairvikar', Sachchidanand Yadav is accepted subject to payment of Rs.5000/- as undertaken by him within a period of one week from today. If the amount is not paid and a certificate to this effect is not submitted within a week from today, appropriate steps shall be taken against the said Sachchidanand



Yadav.

So far as the Cr. Misc. No.34898 of 2023 is concerned, taking into account the aforesaid facts, the same stands dismissed.

(Rajiv Roy, J)

Prakash Narayan

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