

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36281 of 2023

Arising Out of PS. Case No.-347 Year-2022 Thana- NAGAR District- Vaishali

KUMARI RANJANA SINHA W/O LATE ARJUN PRASAD SINGH
Resident of village - Sanchipatti, Road No. 5, P.S. - Hajipur Town, Distt. -
Vaishali

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Ravish Mishra, Advocate
For the State	:	Mr.Ram Priya Sharan Singh, APP
For the Informant	:	Mr.Awadesh Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 06-09-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Hajipur Town P.S. Case No. 347 of 2022 registered for the offences punishable under Sections 420/ 406/ 34 of the Indian Penal Code and under Section 138 of the N.I. Act.

3. In Paragraph '3' of the petition, it is stated that the petitioner is having clean antecedent, however, learned counsel for the informant has produced before this Court a copy of the F.I.R. being Vaishali Town P.S. Case No. 746 of 2022 dated 01.10.2022 registered for the offences punishable under Sections 406/ 420/ 34 of the I.P.C. read with Section 138 of the N.I. Act lodged by one Manoj Kumar Singh. It shows that the



petitioner is one of the accused in the said case. Further, learned counsel for the informant has placed before this Court a copy of the Complaint Case No. 126 of 2021 filed in the court of learned Chief Judicial Magistrate, Vaishali at Hajipur.

4. Learned counsel submits on instruction that in this case also cognizance has been taken and the petitioner has been summoned.

5. It is pointed out that in both the cases the allegations are that in the name of sale of land the petitioner had received certain amount and thereafter she did not execute the registered sale deed whereafter a Panchayati took place wherein she agreed to return the money and in lieu thereof cheques were issued which stood dishonored presentation in want of submission.

6. Learned counsel for the informant submits that in this case also the allegations are identical and the petitioner has filed the present application by concealing material fact that there are two other cases of similar nature against her.

7. It is also submitted that by concealment of fact this petitioner had been able to obtain an interim order from this Court on 26.07.2023 while issuing notice to the O.P. No. 2.

8. Learned APP for the State has also endorsed the



submission of learned counsel for the informant.

9. Learned counsel for the petitioner initially submitted that the two cases which are not mentioned were lodged after the present case but very soon he realized that one of the cases is not only prior to the present case, rather the petitioner cannot take a plea that because the another case was lodged after the present case so she will not make a disclosure about the said case in Paragraph '3' of the application.

10. In the opinion of this Court, an apparent attempt has been made to obtain an order by suppression of criminal antecedent.

11. This Court, therefore, rejects the prayer for grant of pre-arrest bail in this application but with liberty to the petitioner to file a fresh application disclosing all the criminal antecedents.

12. For the reason that the criminal antecedents were suppressed which is *prima facie* evident from the information furnished by learned counsel for the informant. This Court calls upon the deponent namely Sr. Arvind Shahi, son of Ramchandra Shahi, Resident of Village- Dighi, Dighi Kalan, P.S.- Hajipur Sadar, District- Vaishali to file a show cause explaining as to why an appropriate order be not passed against him for filing a false affidavit in this Court.

13. Learned counsel for the petitioner submits that he



will file show cause on behalf of the deponent within four weeks from today.

14. The interim order stands vacated.

15. Let this matter be listed after four weeks i.e. on 6th October, 2023.

(Rajeev Ranjan Prasad, J)

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