

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47345 of 2023

Arising Out of PS. Case No.-178 Year-2023 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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1. Shankar Yadav, Son of Late Ganesh Yadav, Resident of village - Naya Tola, Agarpur, P.S. - Lodipur, Distt. - Bhagalpur
 2. Shekhar Yadav @ Shaikhar Yadav @ Chandra Shekhar Yadav, Son of Shankar Yadav, Resident of village - Naya Tola, Agarpur, P.S. - Lodipur, Distt. - Bhagalpur
- Petitioners

Versus

1. The State of Bihar
 2. Mulo Devi, Wife of Naro Yadav, Resident of village - Naya Tola, Agarpur, P.S. - Lodipur, Distt. - Bhagalpur
- Opposite Parties

Appearance :

For the Petitioners	:	Mr. Dharendra Nath Jha, Advocate
For the State	:	Mr. Aditya Narayan Singh.1, APP
For the O.P. No. 2	:	Mr. Swapnil Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 16-10-2023 Heard learned counsel for the petitioners, learned counsel for the O.P. No. 2 and learned APP for the State.

2. The petitioners in the present case are seeking pre-arrest bail in connection with Complaint Case No. 178 of 2023 registered for the offences punishable under Sections 406, 420, 379, 354B, 467, 468, 470, 120B/34 of the Indian Penal Code.

3. Learned counsel for the complainant submits that the petitioner had concealed their criminal antecedent in paragraph '3' of the application. He has placed before this Court a copy of the certified copy of the FIR of Lodipur PS. Case No. 07 of 2019 dated 12.01.2019 registered under Section 376/511



of the Indian Penal Code in which petitioner no. 1 is the sole accused. Learned counsel further submits that there is a complaint case bearing no. 2029 (C) of 2018 pending in the court of learned J.M. 1st Class, Bhagalpur in which both the petitioners are accused and have been summoned after cognizance.

4. Considering the fact that the petitioner had concealed their criminal antecedent in paragraph '3' of the application, this application is dismissed with a cost of Rs.5,000/- (Rupees Five Thousand Only/-) on each of the petitioners which they will deposit with the Patna High Court, Legal Service Committee within two weeks after Pooja holidays. The *Pairvikar* of the petitioners shall file a show cause as to why an appropriate proceeding be not initiated against him for filing a false affidavit.

5. The petitioners would, however, be at liberty to file their fresh application for anticipatory bail, if so advised, with complete criminal antecedent.

6. List this case with the show cause on 15.12.2023 under the heading 'For Orders'.

(Rajeev Ranjan Prasad, J)

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