

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63494 of 2023

Arising Out of PS. Case No.-411 Year-2021 Thana- SUPAUL District- Supaul

1. RAMSWAROOP YADAV son of Late Mahabir Yadav Village- Sisauni Ps- Kishanpur Dist- Supaul
2. Satyendra Yadav son of Ramswaroop Yadav Village- Sisauni Ps- Kishanpur Dist- Supaul
3. Sachindra Yadav @ Sachindra Kumar Yadav son of Ramswaroop Yadav Village- Sisauni Ps- Kishanpur Dist- Supaul
4. Vipin Kumar son of Ramswaroop Yadav Village- Sisauni Ps- Kishanpur Dist- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Pramod Mishra, Advocate
For the State	:	Mr. Akhileshwar Dayal, APP
For the Informant	:	Mr. Jata Shankar Jha, Advocate
		Ms. Sarita Kumari, Advocate
		Mr. Chandra Mohan, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 17-10-2023 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

2. The petitioners, in the present case, are seeking pre-arrest bail in connection with Supaul P.S. Case No.411 of 2021 registered for the offences punishable under Sections 147, 149, 341, 342, 323, 504, 506, 307 and 379 of the Indian Penal Code.

3. In paragraph '3' of the application, it is stated that the petitioner nos.1 and 2 are accused in Supaul P.S. Case No.292 of 2020 registered under Sections 341, 323, 325, 354,



307 and 504/34 of the Indian Penal Code and they are on bail. As regards petitioner nos.3 and 4, it is stated that they have no criminal antecedent.

4. Learned counsel for the informant has placed before this Court a list of cases such as Complaint Case No.539 of 2007, Supaul P.S. Case No.328 of 2010 (the accused has been acquitted in this case), Supaul P.S. G.R. No.6483 of 2014, Supaul P.S. Case No.454 of 2020 and Bhaptiyahi P.S. Case No.25 of 2022. A copy of the FIR of Supaul P.S. Case No.328 of 2010 and that of Supaul P.S. Case No.454 of 2020 have also been placed before this Court.

5. A prima-facie perusal of these materials would show that while the petitioner nos. 1 and 2 are having more than one criminal antecedent, petitioner nos.3 and 4 are also having criminal antecedent.

6. It appears, therefore, that all the petitioners have concealed their criminal antecedents in order to obtain anticipatory bail from this Court in the present case.

7. In the aforementioned background, this Court would not entertain the present application. It is dismissed with a cost of Rs.5,000/- on each of the petitioners. The cost will be deposited by the petitioners with the Patna High Court Legal



Services Authority within one week after Pooja Holidays.
However, the petitioners shall be at liberty to file fresh application for anticipatory bail with complete criminal antecedents.

8. Mr. Pramod Mishra, learned counsel submits that he would not appear in this case, hence, notice may be issued to the deponent of the affidavit.

9. Issue show cause notice to the deponent namely, Shiv Chandra Kumar Yadav, son of Gajendra Yadav, resident of village-Surti Patti, Ward No.3, P.S.-Supaul, District-Supaul calling upon him to show cause as to why an appropriate proceeding be not initiated against him for filing false affidavit as to the criminal antecedent of the petitioners.

10. List this case under the heading 'For Orders' to consider the show cause of the deponent on 22.11.2023.

(Rajeev Ranjan Prasad, J)

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