

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21697 of 2024

Arising Out of PS. Case No.-298 Year-2019 Thana- SHEKHPURA District- Sheikhpura

Rajesh Kumar Son of Saryug Mahto Resident of vill.-Jamalpur Bigha, P.S.-
Sheikhpura, Distt.-Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rizwanul Haque, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 26-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. This is an application seeking pre-arrest bail in connection with Sheikhpura P.S. Case No.298 of 2019 registered for the offences punishable under Sections 420, 423, 467, 468 and 471/34 of the Indian Penal Code.

3. It appears that earlier the petitioner moved this Court in the same matter for grant of pre-arrest bail in Cr.Misc.No.27489 of 2020 in which he was granted bail vide order dated 04.01.2021.

4. In it's order dated 04.01.2021, this Court observed that the grant of bail is subject to the conditions laid down under Section 438(2) Cr.P.C. and further condition that the court below shall verify the criminal antecedent of the petitioner and in case

at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner.

5. In fact, the last condition which has been imposed by this Court was necessitated because of the recurring complaints of concealment of criminal antecedents by the petitioner who are moving this Court. As a result of this condition, the learned court below verified the criminal antecedent of the petitioner and on the basis of the materials which were brought before the learned C.J.M., Sheikhpura, he has recorded that the petitioner had concealed his criminal antecedents before this Court in Cr.Misc.No.27489 of 2020.

6. On perusal of the order of the learned CJM, Sheikhpura it appears that the petitioner was earlier convicted in G.R. No.701 of 2011 and he was also an accused in Sheikhpura P.S. Case No.242 of 2011 but both the cases were concealed from this Court.

7. The order of the learned C.J.M., Sheikhpura is a well discussed and reasoned order. In the circumstances, this Court finds that the bail bond of the petitioner has rightly been cancelled and at this stage he cannot be once again granted privilege of pre-arrest bail. The prayer is refused.

8. There is a non-bailable warrant against the petitioner which shall be executed by the Superintendent of Police, Sheikhpura at the earliest opportunity.

9. This application is dismissed.

(Rajeev Ranjan Prasad, J)

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