

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63012 of 2023

Arising Out of PS. Case No.-31 Year-2023 Thana- SITAMARHI District- Sitamarhi

Anand Kumar Son Of Vijay Matho Resient Of Mohalla- Court Bazar Ward
No 9, Ps -Sitamarhi, Distt- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

9 21-06-2024 A show cause submitted by the learned Judicial Magistrate, Ist Class, Sitamarhi is satisfactory as the bail bond of the petitioner of this present case has been cancelled by the concerned court and non-bailable warrant has also been issued against the petitioner for concealment of facts as well as the show cause issued against the learned advocate of the petitioner in the trial court.

The learned Magistrate has stated in his show cause submitted before this Court, that he, unknowingly due to concealment of fact in the bail petition and oral submissions made during the hearing of the bail petition by the petitioner. The learned Magistrate made the mistake believing on such fact but it is evident from perusal of the order sheet of the learned Magistrate that on 23.01.2024 the learned Magistrate granted bail to the petitioner and later on the same date took note that a



Cr. Misc. No. 63012 of 2023 is pending and an order has been passed on 18.01.2024 for providing photostat copy of the case diary and further on 24.01.2024, the learned Magistrate went on to accept the bail bond of the petitioner. This clearly shows the obvious mistake done by the learned Magistrate which is not acceptable at any cost. But, considering the fact that the learned Magistrate is a new entrant at the post of Civil Judge (Junior Division), this mistake can be forgiven once and an action against the learned Magistrate can be ignored only this time.

Before parting, this Court takes into account the mistake made by the concerned Judicial Magistrate, Ist Class, Sitamarhi, namely, Anuj Kumar and he should consider the show cause issued against him as a warning and make sure that further such mistakes should not be done in future.

This case is hereby dismissed as not pressed.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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