

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64882 of 2023

Arising Out of PS. Case No.-268 Year-2023 Thana- HISUWA District- Nawada

RAJBALLAV KUMAR @ PRITAM RAJ @ RAJBALLABH KUMAR Son
of Birendra Yadav @ Birendra Kumar @ Bijendra Yadav Resident of Village-
Maula Nagar, P.S.-Hisua, District-Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar
2. BITTU KUMAR S/o Manoj Sharma Resident of Village-Maulanagar, P.S.-
Hisua, District-Nawada.
3. NAVLESH SHARMA @ NAULESH KUMAR S/o Chandramauli Sharma
Resident of Village-Maulanagar, P.S.-Hisua, District-Nawada.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manisha Prakash
For the Opposite Party/s : Mr.Dr. Indihar Kumari

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

11 30-08-2024 Heard learned counsel for the petitioner and learned
counsel for the State.

2. Learned counsel for the petitioner has filed this Cr.
Misc. application for cancellation of anticipatory bail of Opposite
Party No.2 and 3 passed by this Court vide order dated 19.08.2023
passed in Cr. Misc. No.52549 of 2023 in connection with Hisua P.S.
Case No.268 of 2023, on the ground that false and incorrect
statement has been made in paragraph No.3 of the anticipatory bail
application in which petitioners, in Cr. Misc. No.52549 of 2023,
have submitted that they have clean antecedent, whereas actually
Opposite Party No.2 in present case has one criminal antecedent
and Opposite Party No.3, in present case has two criminal



antecedents but that has been completely suppressed and on this ground, bail has been granted. About pendency of the case, counsel for the petitioner has categorically made statement and annexed the Annexures also.

3. Learned counsel for Opposite Party No.2 submitted that this mistake about incorrect disclosure is not intentional, rather it is bonafide mistake and for which the Opposite Party No.2 and 3 may not suffer.

4. In the light of submissions made by Opposite Party No.2, those persons, who are in anticipatory bail and have inserted / instructed that no case is pending, is not tolerable to this Court and on the ground of separation, the anticipatory bail application granted to Opposite Party No.2 and 3 vide order dated 19.08.2023 passed in Cr. Misc. No. 52549 of 2023 is hereby cancelled.

5. With the aforesaid direction, this Cr. Misc. application is allowed.

6. The Court below is directed to secure the appearance of those accused persons by way of issuing process forthwith cancelling the bail.

(Dr. Anshuman, J)

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