

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45475 of 2025

Arising Out of PS. Case No.-61 Year-2023 Thana- SIKARHATTA District- Bhojpur

GANDHI RAI son of Late Kishore Rai @ Kesho Rai Village- Koyal, P.S.
-Charphokri, District -Bhojpur, Bihar 802223

... .. Petitioner/s

Versus

1. The State of Bihar
2. Munna Singh Son of Raju Singh Village- Sikarhata, ps- Sikrahat, Dist-
Bhojpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shankar Roy, Advocate
For the Opposite Party/s : Mr. Pramod Kumar Pandey, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

5 05-12-2025 Heard learned counsel for the petitioner, learned A.P.P
for the State and learned counsel for O.P. no.2.

2. The present application has been preferred by the
petitioner seeking cancellation of regular bail granted to O.P.
no.2 by this Court *vide* order dated 05.03.2024 passed in Cr.
Misc. No. 729 of 2024.

3. Learned counsel for the petitioner submits that O.P.
no.2 has obtained regular bail by misrepresentation and by
misleading the Hon'ble Court. Counsel submits that O.P. no.2
has moved before this Court making false statement in
paragraph no.3 that there is only one criminal antecedent against
him. Counsel submits that there are actually two criminal



antecedents of O.P. no.2 i.e. Sikarhatta P.S. Case No.16 of 2013 and another is Sahar P.S. Case No.193 of 2019. Counsel submits that in similarly situated circumstance, the bail application of one another co-accused has been cancelled *vide* order dated 02.05.2025 passed in Cr. Misc. No.56394 of 2024.

4. Learned counsel appearing for O.P. No. 2 submits that the point raised by the petitioner is not correct. He submits that there was no suppression on the part of O.P. No. 2, rather, due to lack of knowledge on the part of the *pairvikar*, the details of the second case could not be disclosed in paragraph no. 3. Counsel submits that the *pairvikar* was completely unaware about the said case about which the petitioner is claiming for suppression. Counsel also submits that final form has also been submitted in the said case.

5. After hearing the parties, it transpires to this Court that the bail application of one of the co-accused namely, Sonu Rai @ Sonu Kumar @ Sonu Mauar @ Bhola was cancelled on the same ground and suppression has been made by his *pairvikar*.

6. With a view to maintain the parity, this Court is of the firm view that the bail application of the O.P. no.2 should also be cancelled, as at the time of filing bail application,



incorrect disclosure about the criminal antecedent has been made.

7. In the light of the present facts and circumstances, this Court is of the firm view that suppression has been made by the O.P. No.2 about his criminal antecedents, therefore, bail granted to Opposite Party no.2 by this Court in connection with Sikarhatta P.S. Case No.61 of 2023 *vide* order dated 05.03.2024 passed in Cr. Misc. No.729 of 2024 is hereby cancelled.

8. Accordingly, with the aforesaid observation, the present application is hereby allowed.

(Dr. Anshuman, J)

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