

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56394 of 2024

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

Gandhi Rai Son Of Late Kishore Rai @ Keshorai Resident Of Koyal, P.S. -
Charpokri, District - Bhojpur, Bihar - 802223

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Sonu Rai @ Sonu Kumar @ Sonu Mauar @ Bhola Son Of Dhananjay Rai
@ Dhananjay Mauar Resident Of Village - Barki Kharaw, P.S. - Sahar,
District - Bhojpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shankar Roy, Advocate
For the Opposite Party/s : Mr. Ram Naresh Ray, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

8 02-05-2025 Heard Learned Counsel for the petitioner, Learned
A.P.P for the State and Learned Counsel for opposite party no.2.

2. The present application has been filed for
cancellation of bail of opposite party no.2 which was granted by
this Court *vide* order dated 05.03.2024 passed in Cr. Misc.
No.1591 of 2024 due to the reason that opposite party no.2 has
suppressed the fact about his criminal antecedent which is
apparent from the counter affidavit filed by the opposite party
no.2. Counsel submits that from the said counter affidavit, it
become crystal clear that opposite party no.2 has four criminal
antecedents.

3. Learned Counsel for opposite party no.2 submits
that it is a mistake taken place on the part of the O.P. no.2 and in



future, such mistake shall not take place.

4. Learned A.P.P for the State submits that suppression has been made by the O.P. no.2 about his criminal antecedents.

5. 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.1591 of 2024 is hereby cancelled.

6. It is unfortunate on the part of Trial Court also that even after direction of this Court *vide* order dated 05.03.2024, the Trial Court did not verify the fact about the criminal antecedent of opposite party no.2. It is hereby directed to the Trial Court that in future, such mistake shall not take place.

7. Accordingly, the present application is hereby allowed.

(Dr. Anshuman, J)

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