

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70514 of 2024

Arising Out of PS. Case No.-127 Year-2018 Thana- VAISALI COMPLAINT CASE District-
Vaishali

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Vinita Singh @ Vinita Devi, Wife of Dr. Navin Kumar Bharti, Resident of
Mohalla- Q. No. B/25 197, UCIL Colony, Turamdih, P.S.- Sundernagar,
Distt.- Purbi Singhbhum (Jharkhand)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manoj Kumar Son of Late Ram Sumiran Singh Resident of Village- Sarai,
PO- Sarai, Distt.- Vaishali
3. Shambhu Singh Son of Late Kedar Singh Resident of Village- Sarai, PO-
Sarai, Distt.- Vaishali

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ramji Kumar, Advocate
For the State	:	Md. Aslam Ansari, APP
For O.P. Nos. 2 & 3	:	Mr. Vijay Shankar Shrivastava, Advocate

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

6 08-08-2025 Present learned counsel for the petitioner, learned

APP for the State and learned counsel for the opposite party nos.

2 & 3.

2. The learned counsel appearing on behalf of
opposite party nos. 2 & 3 submits that counter affidavit could
not be filed in this case as the opposite parties are not well and
are hospitalized.

3. But no material showing such admission in the
hospital has been brought on record. Perusal of record shows for
the first time on 17.01.2025, the learned counsel for the opposite



party nos. 2 & 3 was directed to file counter affidavit granting him time of three weeks considering the fact that serious allegations have been levelled about concealment of criminal antecedent while filing of Cr. Misc. No. 3535 of 2024 by which opposite party nos. 2 & 3 were granted anticipatory bail.

4. The learned counsel for the opposite party nos. 2 & 3 submits that due to ignorance of the *pairvikar*, total number of criminal cases pending against the opposite party nos. 2 & 3 could not be mentioned in paragraph 3 of Cr. Misc. No.3535/2024.

5. Perusal of record of Cr. Misc. No. 3535 of 2024 shows opposite party nos. 2 & 3 have mentioned four cases each under their criminal antecedent and at the same time submitting that all these cases have either been instituted by the petitioner or her husband.

6. The present petition has been filed by the petitioner for cancellation of anticipatory bail granted to the opposite party nos. 2 & 3 by this Court vide order dated 07.02.2024 passed in Cr. Misc. No.3535 of 2024 on the ground that the opposite party nos. 2 & 3 have concealed their criminal antecedent.

7. It has been submitted by the petitioner on oath that Manoj Kumar, opposite party no. 2 has criminal antecedent of



nine cases, whereas Shambhu Singh, opposite party no. 3 has criminal antecedent of thirteen cases.

8. It is apparent that despite several opportunities granted to the opposite party nos. 2 & 3 for almost seven months, no counter affidavit has been filed contradicting the claim of the present petitioner. Apparently, there is active concealment of criminal antecedent by the opposite party nos. 2 & 3.

9. So, I am of the considered view that these are the matters which are to be taken seriously otherwise anybody may endeavour to play a fraud upon Court by concealment of material facts, such as, criminal antecedents of an accused and this Court finds that these attempts are being made now regularly and the Court has come across several circumstances in which concealment of criminal antecedents have been noticed.

10. Therefore, considering the fact that a false averment has been made before this Court in order to procure bail from this Court, I think it just and proper that the anticipatory bail granted to opposite party nos. 2 & 3 vide order dated 07.02.2024 passed in Cr. Misc. No. 3535 of 2024 be cancelled and the same is hereby cancelled and they are directed



to surrender before the learned trial court within two weeks from today.

11. However, it is made clear that if opposite party nos.2 & 3 do not surrender before the learned trial court within the stipulated period, the learned trial court will take all coercive steps for arrest of opposite party nos. 2 & 3.

12. At the same time, the learned Registrar General of this Court is directed to conduct an enquiry in the matter and after fixing responsibility for making wrong averment/submission before this Court and thereby causing obstruction in the administration of justice, take appropriate action against such person, who committed fraud upon this Court.

13. The enquiry must be completed within two months and thereafter the enquiry report be placed before this Court with the action taken against the culprit.

14. Accordingly, the present petition stands disposed of

(Arun Kumar Jha, J)

V.K.Pandey/-

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