

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12049 of 2015

Arising Out of PS.Case No. -62 Year- 2014 Thana -KUNDWACHAINPUR District-
EASTCHAMPARAN(MOTIHARI)

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Umashankar Prasad son of Krishandeo Rai

.... Petitioner/s

Versus

The State of Bihar & Ors

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava

For the Opposite Party/s : Mr. Ajit Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 08-04-2015

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner has prayed for cancellation of order dated
08.01.2015 passed in Cr. Misc. No.242 of 2015 by which opposite
party nos.2 to 4 were granted privilege of bail in Kundwa
Chainpur P.S.Case No. 62 of 2014.

The contention on behalf of the petitioner is that the
order dated 08.01.2015 was obtained by opposite party nos. 2 to 4
by suppressing real facts.

In continuation of his submission, the learned counsel
for the petitioner points out that the opposite party nos. 2 to 4
pleaded at para-9 of their petition that deceased was a mentally
derailed lady and also filed forged medical certificate but deceased
was not mentally derailed lady and as a matter of fact, deceased

got higher qualification and the Investigating Officer verified the document filed by the opposite party nos. 2 to 4 and found that the aforesaid document was forged.

From perusal of the order dated 08.01.2015 passed in Cr. Misc. No. 242 of 2015 I find that no doubt, the O.P No. 2 to 4 had taken plea of mental condition of deceased at the time of consideration of their bail petition but it appears to me that the above stated plea was not the sole criterion for grant of bail to opposite party no. 2 to 4. Therefore, in my view, there is no substance in this petition and accordingly, this petition stands dismissed on admission stage itself.

(Hemant Kumar Srivastava, J)

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