

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14045 of 2015

Arising Out of PS.Case No. -270 Year- 2014 Thana -NANHPUR District- SITAMARHI

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1. Ajeet Kumar son of Ram Manohar Singh resident of village Mahumapur,
P.S. Runnisaidpur, District Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Santosh Thakur son of Ramashish Thakur
3. Khushbu Kumari wife of Santosh Thakur Both residents of village Budh
Nagar, P.S. Nanpur, District Sitamarhi.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh
For the Opposite Party/s : Mr. Ram Naresh Roy(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 22-04-2015 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

The petitioner has come before this court for
cancellation of bail granted to opposite party nos. 2 and 3 vide
order dated 21.01.2015 passed in Cr. Misc. No. 2850 of 2015 on
the ground that after getting bail in their favour, the opposite party
nos. 2 and 3 are giving threatening to petitioner to withdraw the
Nanpur P.S.Case No. 270 of 2014.

Learned counsel for the petitioner submits that
petitioner made a written complaint before the concerned police
station about the above stated threatening and the complaint of the

petitioner was inquired and verified by A.S.I of the concerned police station and thereafter, the aforesaid A.S.I submitted a written report before the S.D.M, Sitamarhi for initiation of proceeding under section 107 of the Cr.P.C and having got the aforesaid report, the learned S.D.M, Sitamarhi ordered to issue notice to opposite party nos. 2 and 3.

In my view, except the inquiry report of A.S.I, there is nothing on the record to show that any threatening was given by opposite party nos. 2 and 3 for withdrawal of Nanpur P.S.Case No. 270 of 2014. However, if the learned S.D.M, Sitamarhi finds the allegation true after due inquiry, he may direct the opposite party nos. 2 and 3 to execute bonds under the relevant provisions of Cr. P.C. However, the petitioner may approach to this Court for cancellation of bail granted to the opposite party nos. 2 and 3, after conclusion of inquiry initiated under section 107 of Cr.P.C.

Accordingly, this petition stands disposed of on admission stage itself.

(Hemant Kumar Srivastava, J)

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