

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35056 of 2015

Arising Out of PS.Case No.3265(c) Year- 2008 District- PATNA

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1. Vidya Nand Sahay Son of Late Girjanand Sahay, Resident of Village - Bhadwar, P.S. - Kulharia, District - Bhojpur at present residing at Flat No. 4, 32, Circuit House Area, P.S. - Bishtupur, District - Jamshedpur, State of Jharkhand.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Narendra Prasad Son of Late Dr. Neelkanth Prasad,
3. Vikram Gupta @ Vicky, Son of Narendra Prasad
Both residents of Mohalla Shahpur, P.S. - Aurangabad, District - Aurangabad.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gouranga Chatterjee, Adv.
For the State : Mr. Shailendra Kumar Singh, (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 04-09-2015 Heard learned counsel for the Petitioner and the State.

The Petitioner seeks cancellation of bail granted to the Opposite Parties No. 2 and 3 by the Sessions Judge, Patna, in Complaint Case No. 3265 of 2008 on the ground that it was on erroneous ground that they were granted anticipatory bail without considering his documents and the plea taken by the accused persons was false. It was stated before the Sessions Judge that the person who was said to have sold the factory had sworn an affidavit that he had not sold the factory because it was a partnership firm and the signature bears on the sale deed is forged whereas facts were otherwise.

Since a Senior Judicial Officer had looked into the merits of the case and considered that the Private Opposite Parties deserve bail, I find no justification for entertaining this application in absence of any material to suggest that the Opposite Parties ever misused the privilege of bail in the intervening period.

Hence, the application stands rejected.

(Anjana Prakash, J)

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