

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28763 of 2012

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1. The State Of Bihar

.... Petitioner/s

Versus

1. Umakant Dubey @ Uma Dubey S/O Late Jagdish Dubey R/O Village -
Jhumardihara, P.S. Baroon, District - Aurangabad

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Sinha

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

8 16-12-2015

Heard learned Additional Public Prosecutor appearing

for the State as well as learned counsel, appearing for opposite
party.

This petition has been filed for cancellation of bail,
granted to opposite party vide order dated 28-06-2011 passed in
Cr. Misc. No. 17182 of 2011 in connection with Kutumba P.S.
Case No. 18 of 2010 corresponding to Trial No. 4014 of 2011 on
the ground that on being released from custody, opposite party
again committed an offence for which, Baroon P.S. Case No. 247
of 2011 under Sections-307, 504 of the Indian Penal Code and
Section-25(i-B)A, 26/35 of the Arms Act was registered.

Learned Addl. Public Prosecutor submits that in the
above-said Baroon P.S. Case No. 247 of 2011, opposite party was
made named accused and opposite party appeared to be a habitual

criminal because prior to institution of the aforesaid case, he was made accused in several cases, detail of which; has been given at paragraph-8 of the petition.

Learned counsel, appearing for opposite party refuted the above-said submission, pointing out that Baroon P.S. Case No. 247 of 2011 was lodged by agnate of the opposite party on account of land dispute and as a matter of fact, there was counter case also of the above-said Baroon P.S. Case No. 247 of 2011. It is further contended by him that so far as criminal antecedent of the petitioner is concerned; he has already been acquitted in almost all the cases barring a few.

Considering the aforesaid submissions as well as facts and circumstances of the case, I do not find any ground to cancel the bail, granted to the opposite party vide order dated 28-06-2011 passed in Cr. Misc. No. 17182 of 2011.

Accordingly, this cancellation petition stands dismissed.

(Hemant Kumar Srivastava, J)

A.K.V./-

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