

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50937 of 2015

Arising Out of PS.Case No. -2492 Year- 2014 Thana -COMPLAINT CASE District- ARRARIA

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Gayanand Mandal son of Lae Sundar Lal Mandal, Resident of village-
Palarmani, P.S. Sikty, District-Araria.

.... Petitioner/s

Versus

1. The State of Bihar
2. Yugeshwar Mandal son of Late Kharkattu Das, resident of village-
Palarmani, P.S. Sikty, District-Araria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha
For the Opposite Party/s : Mr. Anil Kumar(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

7 20-07-2016 Heard learned counsel for the petitioner and learned counsel
for the State.

The petitioner seeks cancellation of the order dated
17.08.2015 passed by this Court in Cr. Misc. No. 32959 of 2015.
It is submitted on behalf of the petitioner that the aforementioned
order was passed on the basis of categorical submission that a
Title Suit No. 116 of 2011 was pending between the parties and,
therefore, the petitioner therein had been falsely implicated in the
case.

Learned counsel for the petitioner who is seeking
cancellation of the bail, submits that there was no such title suit
pending between the parties and only on the false premise, the

aforementioned order was passed. In support of his contention, he has filed a copy of the order of the Title Suit No. 116 of 2011 pending before the Court of learned Munsif, Araria.

In this context, the file of Cr. Misc. No. 32959 of 2015 was referred to by this Court in the complaint petition filed with the said criminal miscellaneous application. It appears that the petitioner had, in fact, purchased land from the father of the Yugeshwar Mandal (petitioner in Cr. Misc. No. 32959 of 2015). It thus, appears that there was some dispute between the parties for which a suit was pending. This fact can best be resolved in the Court below.

At the present, no case for cancellation of bail is made out. It is accordingly dismissed.

(Anjana Mishra, J)

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