

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13512 of 2016

Arising Out of PS.Case No. -176 Year- 2013 Thana -BIHARSHARIF District- NALANDA
(BIHARSHARIFF)

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1. Krishn Nandan Prasad Son of Ghandrika Prasad resident of Mohalla-Bradari, P.S. Bihar Sharif District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Manish Kumar Kushawaha, Son of Late Rajendra Prasad Kushwaha.
3. Anuradha Kushwaha daughter of Late Rajendra Prasad Kushwaha. Both are resident of Village Ghhoti Pahari P.S. Soh Sarai, District- Nalanda.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Upendra Kumar, Advocate
For the Opposite Party/s : Mr. Sanjay Kr.Panday, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

4 29-11-2016 This application has been filed seeking cancellation of bail granted to the opposite party No. 2 by virtue of an order of this Court dated 13.2.2014 passed in Criminal Miscellaneous Case No. 48279 of 2013.

The opposite party No. 2 has been made accused in a case registered for the offences punishable under Section 138 of the Negotiable Instruments Act and Sections 420 and 406 of the Indian Penal Code.

It is submitted on behalf of the petitioner that the opposite party No. 2 obtained the said order granting anticipatory bail on the basis of incorrect statement made, that an amount of



Rs. 5,00,000/- had been handed over to the informant/petitioner.

Apart from the said stand, there is no ground, which has been made out in the application seeking cancellation of bail. The correctness of the statement made before this Court while seeking anticipatory bail as noted above cannot be the basis for cancellation of bail as the same is a disputed question, which can be decided at the stage of trial.

I do not find any merit in this application. This application is accordingly dismissed.

(Chakradhari Sharan Singh, J)

Vats/-

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