

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37264 of 2012

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1. Indu Devi W/O Shri Dwarika Singh R/O Village - Kuldipnagar, P.S.
Chhapra Muffasil, District - Saran

.... Petitioner/s

Versus

1. The State Of Bihar
2. Munnu Kumar S/O Shri Gupteshwar Singh R/O Village - Chirand, P.S.
Doriganj, District - Saran
3. Vijay Singh S/O Not Known, Son In - Law Of Shri Gupteshwar Singh
R/O Village - Gauriganj, P.S. Daudpur, District - Saran

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yashraj Bardhan

For the Opposite Party/s : Mr. Ram Anurag Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-10-2016

The present application has been filed for cancellation of bail of O.P. Nos. 2 and 3 who were granted bail vide order dated 03.08.2012 passed in Cr. Misc. No. 27331 of 2012 in connection with Chapra Muffasil P.S. Case No. 276 of 2011 registered under Sections 420, 467, 468, 471 of the Indian Penal Code.

The prosecution case is that co-accused Gupteshwar Singh persuaded the informant to purchase the land of co-accused Rameshwar Mahto when Gupteshwar Singh and Rameshwar Mahto cheated Rs. 15,06,000/- of the informant and executed a forged and fabricated sale deed. The O.P. Nos. 2 and 3 namely Munnu Singh and Vijay Singh were alleged to be present at the time of registration of the sale deed.

Though co-accused Gupteshwar Singh was

petitioner in Cr. Misc. No. 27331 of 2012 but his application was disposed of since he was arrested and co-accused Rameshwar Mahto was not petitioner in the aforesaid criminal miscellaneous application, hence, considering the thrust of accusation against co-accused Gupteshwar Singh and Rameshwar Mahto, the O.P. Nos. 2 and 3 were granted anticipatory bail by this Court.

Learned counsel for the petitioner wants cancellation of bail of O.P. Nos. 2 and 3 by reconsideration of the application on merits which is not permissible.

In view of this Court, the parameters for grant of bail and its cancellation are quite different. Moreover, there is nothing on record to suggest that O.P. Nos. 2 and 3 have misused the privilege of bail.

This Court finds no merit in the application. The application stands dismissed in connection with Chapra Muffasil P.S. Case No. 276 of 2011, pending in the Court of learned Chief Judicial Magistrate, Saran at Chapra.

(Dinesh Kumar Singh, J)

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