

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43956 of 2016

Arising Out of PS.Case No. -174 Year- 2015 Thana -CHHATAPUR District- SUPAUL

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1. Tuniya Devi W/o Late Domi Sah resident of Village- Bhatta Wari,
P.O.+P.S.- Chhatapur, District Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ranjit Sah son of Bhudhu Sah resident of Village- Bhatta Wari, P.S.-
Chhatapur, District Supaul.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amrit Abhijat

For the Opposite Party/s : Smt. Anita Kumari

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 05-10-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing for the State.

The petitioner has filed this petition for cancellation of bail granted to the Opposite Party No. 2 by order dated 24.11.2015, passed in Criminal Miscellaneous No. 53167 of 2015, on the ground that this fact was suppressed by the Opposite Party No. 2 at the time of making prayer for bail that the husband of informant died on the date of occurrence itself and in course of investigation, the witness stated that Opposite Party No. 2 had assaulted the petitioner's husband.

From perusal of the order dated 24.11.2015 it would appear that the opposite party no. 2 was granted bail taking into

consideration that the Opposite Party No. 2 caused simple injury to the petitioner and moreover, in written report, the petitioner never disclosed that her husband was assaulted by the Opposite Party No. 2. Rather, she specifically claimed in her written report that it was co-accused Umesh Sah, who assaulted her husband.

In view of aforesaid facts and circumstances, I do not find any ground to cancel the bail granted to Opposite Party No. 2 vide Criminal Miscellaneous No. 53167 of 2015.

Accordingly, this cancellation petition stands dismissed.

(Hemant Kumar Srivastava, J.)

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