

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.48911 of 2016**

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Jitendra Kumar Rai, Son of Late Parmanand Rai, Resident of Village –  
Dhahra, P.S. – Ara Town, District – Bhojpur at Ara (Bihar).

.... .... Petitioner

Versus

1. The State of Bihar
2. Bipin Chaudhary, Son of Late Ganpat Chaudhary, Resident of Village –  
Dhanupura, P.S.- Ara Town, District – Bhojpur at Ara (Bihar).

.... .... Opposite Parties

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**Appearance :**

For the Petitioner : Mr. Manoj Kumar, Advocate.

For the Opposite Parties : Mr. Rajendra Nath Jha, APP.

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

2      16-12-2016                      Heard both sides.

The petitioner filed this petition for modification of the  
order dated 13.05.2016 passed in Cr. Misc. No. 57173 of 2015.

Learned counsel for the petitioner submits that the  
petitioner has earlier filed Cr. Misc. No. 57173 of 2015 for  
cancellation of bail to opposite party no. 2 Bipin Choudhary. A  
report was called for vide order dated 15.01.2016 from the SHO,  
Ara Town Police Station with regard to activities of Bipin  
Choudhary. After perusal of the report petition for cancellation of  
bail was dismissed as no case is make out for misuse of privilege  
of bail by the opposite party no. 2 Bipin Choudhary. It is further  
submitted that the report of the SHO, Ara Town Police Station is  
annexed as Anneuxre -5 in the present petition and the SHO  
specifically stated that opposite party no. 2 Bipin Choudhary and



his men threatened the informant to withdraw the case lodged by him for the murder of his father and brother but it appears that the same report was considered and thereafter the order was passed on 13.05.2016.

Considering the facts aforesaid, I do not find any new ground to reconsider the petition for modification of the order dated 13.05.2016. Accordingly, the modification petition is dismissed.

**(Prabhat Kumar Jha, J.)**

KKSINHA/-

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