

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47771 of 2015

Arising Out of PS.Case No. -171 Year- 2014 Thana -JALALPUR District- SARAN

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Akhileshwar Prasad, Son of Late Kamla Prasad, Resident of Village-
Pirauna, Police Station- Garkha, District- Saran at Chapra

.... Petitioner

Versus

1. The State of Bihar
2. Indu Devi, Wife of Paspati Prasad, Resident of Village- Rusi, Police
Station- Jalalpur District- Saran at Chapra.

.... Opposite Parties.

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Appearance :

For the Petitioner : Mr. Pramod Ban Bihari Singh, Advocate.
For the State : Mr. Parmanand Pd., A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 27-07-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

In the present application, the petitioner seeks
cancellation of order dated 20.07.2015 passed in Cr. Misc. No.
17667 of 2015, by which opposite party no. 2 Indu Devi was
granted bail.

Learned counsel for the petitioner submits that earlier
order was passed on wrong submission that the petitioner (Indu
Devi) is an old lady aged about 70 years, but Voter ID Card,
which has been brought, indicates that the age of opposite party
no. 2 is only 38 years old.

However, it is not clear from the Voter ID that when it

was prepared. Further the petitioner has not brought any specific reason for cancellation of bail application of opposite party no. 2 and also not shown any other compelling circumstance to indicate that opposite party no. 2 Indu Devi has been indulging in tampering of evidence after order of bail was passed by this Court.

Considering the aforesaid facts and circumstances of the case and also the Voter ID Card, which has been brought on record and that the petitioner had already undergone period of custody for seven months prior to grant of bail, I am not inclined to cancel the bail of the petitioner(Indu Devi) which was granted earlier.

Thus, the application for cancellation of bail stands rejected.

(Anjana Mishra, J)

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