

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1908 of 2016

Arising Out of PS.Case No. -170 Year- 2013 Thana -DAUDNAGAR District- AURANGABAD
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1. Gajadhar Prasad Singh Son of Late Ram Briksh Singh, Sachiv Akondha College, P.S. Daudnagar, District: Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Awadhesh Ram, Son of Sri Manik Chand Ram, Resident of Village: Lala Amauna, P.S. Daudnagar, District: Aurangabad.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Sinha
For the Opposite Party/s Mr. Surendra Pd.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

05 21.12.2016 Heard the parties.

Petitioner has filed this cancellation petition for cancellation of anticipatory bail granted to the opposite party no.2 vide order dated 27.7.2015 passed in Cr. Misc. no. 28993/2015 in connection with Daudnagar P.S. Case no. 170/2013.

It is submitted on behalf of the petitioner that annexure 3 to the petition goes to show that so-called appointment letter was not signed by any person and, as a matter of fact, the aforesaid Daudnagar P.S. Case no. 170/2013 had been lodged with allegation against the opposite party no.2 that he got his appointment on the basis of forged and fabricated document.

On the other hand, learned counsel for opposite party no.2 submits that annexure 3 is part of the FIR and moreover, the petitioner does not claim that the aforesaid document is forged and fabricated



document. Moreover, opposite party no.2 has not misused the privilege of anticipatory bail.

Perusal of order dated 27.7.2015 passed in Cr. Misc. no. 28993/2015 goes to show that anticipatory bail to opposite party no.2 was granted by this court taking into consideration the documents annexed with the aforesaid petition and only annexure 3 to the present petition was not sole criterion for grant of anticipatory bail to opposite party no.2 and, therefore, I do not find any merit in this cancellation petition. Hence, this cancellation petition stands dismissed.

Shahid

(Hemant Kumar Srivastava,J)

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