

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16730 of 2016

Arising Out of PS.Case No. -232 Year- 2015 Thana -BARAULI District- GOPALGANJ

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1. Hareram Sah Son of Prahlad Sah Resident of Village- Sarfara, Police Station- Basauli, in the District of Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Shiv Baiak Saha Son of Asharfi Sah
3. Manoj Sah Son of Shiv Balak sah
4. Sugriv Sah Son of Ram Janam Sah Opposite parties No. 2 to 4 are resident of Village- Sarfara, Police Station - Basauli in the district of Gopalganj.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate
For the Opposite Party/s : Mr. Aditya Nr.Singh 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

4 29-11-2016 The petitioner seeks cancellation of bail granted to the opposite parties No. 2 to 4 by virtue of an order dated 18.01.2016 passed by learned additional District and Sessions Judge-VIII, Gopalganj in ABP No. 37 of 2016 in connection with Barauli P.S. Case No. 232 of 2015 registered for the offences punishable under Sections 323, 324, 326, 307, 379, 427, 504, 435, 354, 354(A) and 354(E) of the Indian Penal Code and Section 27 of the Arms Act.

The said First Information Report has been registered on the basis of a complaint case filed by the petitioner. It is evident from the record that there is some civil dispute between



the petitioner and the opposite parties No. 2 to 4.

It is the plea of the petitioner that the opposite parties No. 2 to 4 after having been released on bail are threatening the witnesses and thereby attempting to tamper with the evidence.

In order to ascertain the general activities of the opposite parties No. 2 to 4, this Court had called for a report by an order dated 22.04.2016, from the Officer-in-charge of the concerned Police station. The report has been received. It has been mentioned in the said report that the activities of the opposite parties were normal and because of land dispute between the informant of Barauli P.S. Case No. 232 of 2015, a case was lodged under various Sections of the Indian Penal Code.

There is no material on record, warranting this Court, exercising power under Section 439(2) of the Code of Criminal Procedure to cancel the bail granted to opposite parties No. 2 to 4.

This application has no merit, which is accordingly dismissed.

(Chakradhari Sharan Singh, J)

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