

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51539 of 2016

Arising Out of PS.Case No. -279 Year- 2015 Thana -RUPASPUR District- -

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Dhiraj Kumar, son of Shri Shishupal Singh, Resident of village-Jalalpur,
Police Station Rupaspur, District-Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. Nagendra Singh son of Late Deodhar Singh
3. Suraj Singh, son of Shri Nagendra Singh
Both resident of village-Jalalpur, Police Station Rupaspur, District, Patna
.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Radha Mohan Singh
Mr. Santosh Kumar

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 20-12-2016 Heard learned counsel for the parties.

The Opposite parties No. 2 to 4 had granted anticipatory bail by an order, dated 03.06.2016 in a case registered for the offence punishable under Section 365 of the Indian Penal Code. At the outset, it is being pointed out that after having been released on bail, the Opposite parties have never misused the privilege of bail.

Learned Counsel for the petitioner has, however, submitted that considering the gravity of the offence, learned Court below ought not to have granted the privilege of anticipatory bail.

I have perused the order passed by learned Sessions Judge, Patna dated 03.06.2016, whereby the said Opposite parties



have been granted anticipatory bail. After having gone through the records of the case, learned Sessions Judge has mentioned that there was only material against the petitioner of suspicion and nothing else.

Learned counsel appearing on behalf of the petitioner has submitted that since Opposite parties No. 2 to 4 have criminal antecedent, they ought not to have been granted the said privilege. This is not in dispute that in the said case also, the Opposite parties No. 2 to 4 are on bail. There being no allegation of misuse of privilege of bail, I am not inclined to entertain this application for cancellation of bail.

This application is, accordingly, dismissed.

(Chakradhari Sharan Singh, J)

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