

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51544 of 2016

Arising Out of PS.Case No. -125 Year- 2016 Thana -HARNAUT District- NALANDA
(BIHARSHARIFF)

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Maheshwar Mahto, son of Late Bhajju Mahto, resident of
village - Gonawan, Police Station - Harnaut, District -
Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Shankar Mahto, son of Yamuna Mahto, resident of village
- Gonawan, Police Station - Harnaut, District - Nalanda.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabi Bhushan Prasad No. 1

For the Opposite Party/s : Mr. Satyavarat Verma

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

2 19-12-2016 Heard the parties.

The present application, under Section 439(2) of
the Code of Criminal Procedure, has been filed seeking
cancellation of anticipatory bail granted to opposite party
No. 2, who is on bail in connection with Harnaut P.S. Case
No. 125 of 2016, registered for the offences punishable
under Section 147, 149, 447, 448, 379, 386, 354(A), 504,
427 and 506 of the Indian Penal Code, *vide* an order, dated



28.04.2016, passed by the learned Addl. Sessions Judge-VII, Nalanda at Bihar Sharif, in ABP No. 1465 of 2016.

Learned counsel for the petitioner has submitted that without appreciating the gravity of the offence, learned court below has granted bail and, therefore, the bail, so granted to opposite party No. 2, should be cancelled.

Having seen the order, granting anticipatory bail to opposite party No.2, I am of the view that the discretion for grant of bail has been duly exercised. Keeping in view the nature of dispute between the informant, who is the petitioner, and the opposite party No. 2, this application for cancellation of bail appears to be frivolous and vexatious and deserves to be dismissed.

This application is, accordingly, dismissed.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

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