

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36453 of 2016

Arising Out of PS.Case No. -10 Year- 2016 Thana -TIKAPATTI District- PURNIA

Nand Keshar Mandal, son of late Prithvi Mandal, resident of Village-Simra, P.S. Tikapatti, District Purnea.

.... Petitioner/s

Versus

1. The State of Bihar
2. Janardan Mandal
3. Jagdish Mandal. O.P. No. 2 and 3 sons of late Ram Nath Mandal.
4. Manish Mandal son of Hari Mandal
5. Shrawan Mandal son of Janardan Mandal
6. Bipin Mandal son of Janardan Mandal O.P. No. 2 to 6 are residents of Village- Simra P.S. Tikapatti, District Purnea.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha, Advocate
For the Opposite Party/s : Mr. Sri Kanhaiya Kishore, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 21-09-2016 This application has been filed seeking cancellation of anticipatory bail granted to opposite parties no. 2 to 6 vide order dated 12.07.2016 passed in Criminal Miscellaneous No. 18598 of 2016 and Criminal Miscellaneous No. 18714 of 2016.

It has been asserted that the said opposite parties are coercing the petitioner/informant to enter into compromise. It is also alleged that the informant/petitioner is being threatened. The only material which has been annexed with the present application in support of the plea that the informant is being coerced by the letter written by the informant addressed to the Superintendent of

Police, Purnea on 21.07.2016.

Learned counsel for the petitioner has submitted that the said opposite parties are misusing the privilege of bail.

However, there is nothing on record to show that the petitioner had ever approached the court below with an allegation that they are being coerced in any manner by the concerned opposite parties.

I do not think that the case for cancellation of bail is made out.

However, the petitioner shall be at liberty to approach the court below making a grievance to the effect that he is being coerced by the concerned opposite parties. It would be open to the court below to call an enquiry to find out the correctness of allegation, which is being made in the present application. Once it is concluded that the opposite parties are threatening the witnesses, the Court shall proceed thereafter, in accordance with law.

This application stands disposed of accordingly.

(Chakradhari Sharan Singh, J)

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