

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17676 of 2017

Arising Out of PS.Case No. -153 Year- 2016 Thana -DULHIN BAZAR District- PATNA

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1. Jahagir Alam @ Md. Jahagir Alam, S/o Md. Sohrab, resident of Village-
Nabinagar, P.S.- Dulhin Bazar, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Md. Samsad Alam @ Md. Samsad Ansari, S/o Md. Samim @ Karo,
resident of Village- Nabinagar, P.S.- Dulhin Bazar, District- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aditya Narayan Singh-1

For the Opposite Party/s : Dr. Indihar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 10-04-2017 Heard learned counsel for the parties.

2. The Opposite party No.2 has been granted regular bail
by the Court of learned First Additional Sessions Judge, Patna
passed in Special (POCSO) Case No. 112 of 2016. The petitioner,
who is father of the victim has filed this application seeking
cancellation of bail so granted.

3. Learned counsel appearing on behalf of the petitioner
has submitted, referring to the order passed by learned Court
below granting bail, that it is apparent that the order is based on
the statement of the victim that she had married Opposite party
No.2. The victim being a minor, her statement, learned counsel
for the petitioner submits, could not have been the basis for the



Court to allow bail. He has also submitted that Opposite party No.2 is threatening the witnesses and has referred to statement made in paragraph 7 of the application seeking cancellation of bail. I am not convinced with the submission so advanced. Grant of bail by the Court below in view of nature of accusation cannot be treated to be unjustified.

4. I do not find any reason to cancel the bail already granted to Opposite party No.2.

5. This application has no merit and it is, accordingly, dismissed.

6. The Court below may expedite the trial.

(Chakradhari Sharan Singh, J)

ArunKumar/-

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