

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19925 of 2017

Arising Out of Complaint Case No. -2228 Year- 2013 Thana -SAMASTIPUR COMPLAINT CASE
District- SAMASTIPUR

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Sunil Kumar Mahto @ Sunil Mahto, S/o Trivani Mahto, resident of Vill- Somnaha
Bara Tola, P.S.- Chakmehsi, Dist- Samastipur.

.... Petitioner

Versus

1. The State of Bihar.
2. Babita Devi, W/o Sunil Kumar Mahto, D/o Munshi Mahto, resident of Vill-
Somnaha Bara Tola, P.S.- Chakmehsi, Dist- Samastipur.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate

For the Opposite Party/s : Mr. Anand Mohan Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 24-11-2017

Heard learned counsel for the petitioner and learned
counsel for the State.

2. This application has been filed under Section 482
of the Code of Criminal Procedure for setting aside the order dated
23.11.2016 passed by the learned Sessions Judge, Samastipur in Cr.
Revision No.740 of 2016 by which the order dated 02.07.2016
passed by the learned Sub-divisional Judicial Magistrate, Samastipur
in C.R. Case No.2228 of 2013 whereby he has cancelled the bail



bond of the petitioner has been affirmed and the revision application has been dismissed.

3. Prima facie, this Court is of the opinion that this application filed under Section 482 of the Code of Criminal Procedure is a second revision, which is barred under sub-section (3) of Section 389 of the Code of Criminal Procedure. Moreover, as the petitioner was granted provisional bail on certain conditions pursuant to his own undertaking and he failed to abide those conditions, his bail bond was cancelled. The revisional court also refused to interfere with the order passed by the learned Magistrate finding the same to be suffering from no illegality or irregularity.

4. Having regard to the facts noted above, no error is found in the revisional order passed by the court below.

5. In that view of the matter, the application being devoid of any merit, is dismissed.

(Ashwani Kumar Singh, J.)

Sanjeet/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	01.12.2017
Transmission Date	01.12.2017

