

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.34338 of 2017

Arising Out of PS.Case No. -131 Year- 2015 Thana -DURGAWATI District- BHABHUA
(KAIMUR)

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1. Umesh Bind, S/o Shankar Bind,

2. Ram Awatar Bind S/o Ghura Bind,

3. Shankar Bind S/o Indradeo Bind,

All R/o Village- Karari, Tola Bind Purwa, P.S.- Durgawati, District- Kaimur at
Bhabua. Petitioners

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rajni Kant Pandey, Advocate

For the Opposite Party no.2 : Mr. Rajesh Kumar Mishra, Advocate

Mr. Shourendra Pandey, Advocate

For the State : Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 24-08-2017

This application under Section 482 of the Code of Criminal Procedure has been filed by the petitioners for setting aside the order dated 22.06.2017 passed by the learned Session Judge, Kaimur at Bhabua in Cr. Misc. No.54 of 2016 arising out of Durgawati P.S. Case No.131 of 2015 whereby the pre-arrest bail granted to the petitioners earlier by the learned Session Judge in ABP No.916 of 2016 has been cancelled.



2. From perusal of the record, it would be evident that the petitioners had obtained pre-arrest bail from the court of the learned Session Judge, Kaimur at Bhabua by suppressing the fact that their earlier pre-arrest bail application was already rejected by the learned Session Judge vide order dated 06.07.2015 passed in ABP No.705 of 2015.

3. In the opinion of this Court, if the order granting pre-arrest bail was obtained either by suppressing fact or playing fraud upon the court, no illegality can be found with the order passed by the learned Session Judge.

4. In that view of the matter, I see no merit in this application.

5. Accordingly, the application is dismissed.

(Ashwani Kumar Singh, J.)

Sanjeet/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	25.08.2017
Transmission Date	25.08.2017

