

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48482 of 2017

Arising Out of PS.Case No. -21 Year- 2017 Thana -KAKO District- JEHANABAD

=====

1. Sanjay Kumar Son of Raghuveer Das, Resident of Village-Maniyawan,
P.S. Kako, District Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar
2. Ramnidhi Das, Son of Late Bhajan Das.
3. Phulmati Devi, Wife of Ramnidhi Das. Both Resident of Village-
Maniyawan, P.S. Kako, District Jehanabad

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Madheshwar Singh

For the Opposite Party/s : Mr. Rama Kant Sharma, Sr. Adv.

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 06-12-2017 Heard the parties.

The petitioner seeks regular bail in connection with Kako
P.S.Case no.21 of 2017 registered for offences punishable under
Sections 147, 148, 149, 341, 323, 324, 307, 504, 302 of the Indian
Penal Code.

This application has been filed for cancellation of bail of
Opposite Party No.2 (Ramnidhi Das) and 3. Phulmati Devi, who
had been granted bail by this Court, vide order dated 22.8.2017
passed in Cr. Misc. No.39320 of 2017 on the ground of
suppression of some material facts as O.P.No.2 is accused in one
more case and O.P.No.3 is not an old lady of 72 years and they
have also been threatening the informant. He has also lodged a



case against Opposite Party No.2 and 3.

From perusal of the record it appears that Opposite Party No.2 and 3 had been granted bail considering the fact that the only allegation of assault is by *lathi* and there is no injury on the vital part of the body.

Heard learned A.P.P. also.

Having heard both sides and in view of the fact, bail has not been granted either on ground of old age, rather on the basis of other consideration, I am not inclined to interfere with the order dated 22.8.2017 passed in Cr.Misc. No.39320 of 2017. So far allegation of threatening the informant by the Opposite Party is concerned, the S.P., Jehanabad is directed to provide protection to the informant and other witnesses in this case and further the learned trial court is directed to expedite the trial and try to conduct it on regular basis so that it may be concluded within a period of seven months. It is also made clear, even in spite of the fact if the Opposite Party Nos. 2 and 3 continue to threaten and allegation if found proved there, it should be brought to the knowledge of the trial court/concerned court, who will consider the prayer for cancellation of bail of the Opposite Party Nos. 2 and 3.



With the aforesaid observation, this application is
disposed of

(Vinod Kumar Sinha, J)

chn/-

U		T	
---	--	---	--

