

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.1289 of 2017

Arising Out of PS.Case No. -164 Year- 2015 Thana -DARBHANGA COMPLAINT CASE District-
DARBHANGA

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Shyam Kant Jha, son of Late Uma Kant Jha, resident of village Hati, Police
Station Biraul, district Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar
2. Tej Narayan Yadav, son of Rampukar Yadav, resident of mohalla Indira
Colony, Police Station Bahadurpur, District Darbhanga, permanent
resident of village Shahpur, P.O. Jhajhra, Police Station Kusheshwar
Asthan, District Darbhanga

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kaushalesh Choudhary

For the Opposite Party/s : Mr. Sri Vinod Shankar Modi

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER**

2 16-01-2017 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor representing the State.

The petitioner seeks cancellation of bail granted to
Opposite Party No. 2 by order, dated 29.04.2016, passed
by learned Sessions Judge, Darbhanga, in connection with
C. R. No. 164 of 2015, registered for the offence punishable
under Section 138 Negotiable Instrument Act and Section
406 of the Indian Penal Code.

The only plea which is being taken on behalf of the
petitioner seeking cancellation of bail is that the learned
Court below has wrongly mentioned in the impugned order
that no case under Section 406 of the Indian Penal Code is



made out.

The ground taken on behalf of the petitioner for cancellation of bail is not a good ground.

This application has no merit and is accordingly dismissed.

It is, however, observed that any observations made in the impugned order, dated 29.04.2016, by learned Sessions Judge, Darbhanga, are tentative in nature only for the purpose of considering bail application of Opposite Party No. 2 and for no other purpose.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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