

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30239 of 2017

Arising Out of PS.Case No. -221 Year- 2016 Thana -BASANTPUR District- SIWAN

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Dinesh Sahni Son of Nageshwar Sahni Resident of Village Rajapur, Mallahi Tola, P.S. Basantpur, District Siwan.

.... Petitioner

Versus

1. The State of Bihar.
2. Arun Singh Son of Late Brahma Singh Resident of Village Sendurkha Kali Tola, P.S. Basantpur, District Siwan.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey

For the Opposite Party/s : Mr. Sri Uday Chand Prasad

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

3 17-08-2017

Heard learned counsel for the parties.

This application is filed by the petitioner under Section 439(2) Cr.P.C. for cancellation of anticipatory bail granted to opposite party no.2 vide order dated 07.01.2017 passed by learned 5th Additional Sessions Judge, Siwan in ABP No.1794 of 2016.

Learned counsel for the petitioner, the informant of the said case, submits that there is strong motive for committing murder by opposite party no.2 and prior to the dead body of the brother of the informant found, he had given him threatening.

Perused the impugned order whereby anticipatory bail was granted to opposite party no.2. Considering all materials in the case diary, the 5th Additional Sessions Judge, Siwan granted



anticipatory bail to the accused, opposite party no.2. The parameters of rejection of bail and cancellation of bail stand on different footing. There is no legal ground raised by the petitioner for cancellation of bail granted to opposite party no.2. It is not a case of any suppression of material fact or tampering with the evidence or threatening the witnesses of the case, therefore, the prayer of cancellation of anticipatory bail is rejected.

This application is dismissed.

(Arun Kumar, J.)

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