

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46626 of 2017

Arising Out of PS.Case No. -151 Year- 2016 Thana -BIHTA District- PATNA

=====

Ajay Kumar Son of Late Chandeshwar Rai Resident of village- Gudiya
Dera, P.S.- Bihta, District- Patna

.... Petitioner

Versus

1. The State of Bihar
2. Ram Kumar @ Ram Kumar Ram Son of Baleshwar Ram Resident of
village- Gudiya Dera, P.S.- Bihta (Neora O.P.), District- Patna

.... Opposite Parties.

=====

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Adv.
For the Opposite Party/s : Mr. Sri Tarun Prasad Mandal, APP.

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 01-11-2017 Heard learned counsel for the petitioner and

learned APP for the State.

Opposite party No.2 was granted bail by this

Court on 06.03.2017 in Cr.Misc.No.587/2017 in connection with

Sessions Trial No. 679/2016, arising out of Bihta P.S.Case No.

151/2016 for the reason that there was no material against the

petitioner save and except his confessional statement and the

F.I.R. was against unknown.

By filing this application , the bail granted to

opposite party No.2 has been sought to be cancelled on the

ground that the impugned order is error of record as there was not

only confessional statement of opposite party No.2 rather the



confessional statement relates to recovery of knife used in the crime alleged.

The aforesaid fact cannot be a ground to file application for cancellation of bail, once granted, specially when there is no allegation of misuse of privilege of bail save and except bald allegation in the information petition filed before the learned A.C.J.M, Danapur, regarding the threat to the witnesses and informant by the petitioner which is yet to be enquired. Hence this application stands dismissed.

(Birendra Kumar, J)

Nitesh/-

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

