

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.7031 of 2017**

Arising Out of PS.Case No. -228 Year- 2013 Thana -KATEYA District- GOPALGANJ

=====

1. Vijay Kumar Singh S/o Late Bikrama Singh R/o Village - Niyamat  
Guriaown, P.S. - Kateya, Dist. - Gopalganj. .... Petitioner/s  
Versus

1. The State of Bihar.  
2. Hare Ram Bania S/o Sitaram R/o Jamunaha Bazar, P.S. - Kateya, Dist -  
Gopalganj. .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Harendra Prasad, Advocate  
For the Opposite Party/s : Mr. R.B.Roy 'Raman'

=====

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

5      02-05-2017                      The present application seeking cancellation of bail granted to opposite party No. 2 by learned Additional Sessions Judge-VIII, Gopalganj in connection with Kateya P.S. Case No. 228 of 2013 has been filed by the informant lodged for the offence punishable under Sections 147, 148, 149, 341 and 302 of the Indian Penal Code and Section 27 of the Arms Act.

The main ground taken for cancellation of bail is that opposite party No. 2 is issuing threat of dire consequences if the petitioner presented himself before the trial court as prosecution witness.

Pursuant to order of this Court dated 17.03.2017 an affidavit has been filed on behalf of the Superintendent of Police, Gopalganj which has been sworn by the Deputy Superintendent of Police, Gopalganj stating therein that altogether 21 persons are



named as witness in the said case out of whom two have been examined very recently. It has also been stated that the petitioner and all witnesses can depose fearlessly. Learned counsel for the State has submitted that except for the statement that the petitioner has lodged Sanha in this regard, there is nothing to show that opposite party No. 2 is threatening the witnesses.

Considering the affidavit filed on behalf of the Superintendent of Police, Gopalganj, I do not consider it fit to entertain this application for cancellation of bail. The Superintendent of Police, Gopalganj is however directed to keep a vigil on the activities of opposite party No. 2 and if in his opinion he is likely to influence the witnesses in any manner whatsoever, he shall be required to take steps for cancellation of bail of opposite party No. 2.

Let this order be communicated to the Superintendent of Police, Gopalganj forthwith.

This application stands disposed of accordingly.

**(Chakradhari Sharan Singh, J)**

Vats/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

