

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38383 of 2017

Arising Out of PS.Case No. -125 Year- 2016 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

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Asrar Alam Azad, son of Late Musir Ahmad Ansari, resident of village -
Semra Tola Turkauliya, P.S. - Turkauliya, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Prakash Kumar, son of Madan Ram, resident of Village - Bakhe Sah
Chowk Chandwara, P.S. Town Muzaffarpur, District - Muzaffarpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Advocate
For the Opposite Party/s : Mr. Abhay Kumar Roy, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

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

The instant case has been filed for cancellation of bail
granted to the opposite party No. 2 by this Court vide order dated
15.02.2017 passed in Cr. Misc. 278 of 2017.

The main allegation levelled against the opposite party
No. 2 is that he after being enlarged on bail, gave threat to the
informant (petitioner herein) to compromise this case and also
made demand of Rs.3,00,000/- for which Motihari Town P.S.
Case No. 378 of 2017 was lodged by the petitioner against
opposite party No. 2 and three others.

Notices were issued to opposite party No. 2 who has
appeared through Vakalatnama. The opposite party No. 2 has



been granted regular bail by a coordinate Bench of this Court vide order dated 10.08.2017 passed in Cr. Misc. 38122 of 2017 in Motihari Town P.S. Case No. 378 of 2017.

Learned counsel for the petitioner has submitted that for such alleged offence separate case has already been filed as would appear from paragraph-5 of the bail petition. It has further been submitted that in the instant case there is no tampering with the evidence. The evidence of witnesses has almost been concluded.

This Court finds from the statement made by the petitioner in paragraph-5 of the bail petition that for the alleged occurrence, separate Criminal Case has already been filed by the petitioner against opposite party No. 2 as Motihari Town P.S. Case No. 378 of 2017.

Therefore, this Court does not find any merit in the application.

The application is accordingly dismissed.

(Sanjay Priya, J)

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