

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12637 of 2017

Arising Out of PS.Case No. -107 Year- 2016 Thana -DUMRIAGHAT District-
EASTCHAMPARAN(MOTIHARI)

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1. VIRJESHWAR RAI @ BRAJESHWAR RAI @ BIRJESHWAR RAI, Son
of Late Ramashis Rai, Resident of Village Barharwa Khurd, P.S.
Dumariaghat, District East Champaran at Motihari.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Loha Rai, Son of Late Saudagar Rai.
3. Bhola Rai, Son of Late Saudagar Rai.
4. Bhimal Rai, Son of Ramayan Rai.
5. Inar Rai, Son of Loha Rai,
6. Manoj Rai, Son of Bhola Rai.
7. Gayatri Devi, Wife of Bhola Rai.
8. Ramsakhi Devi, Wife of Loha Rai.
9. Ranju Devi, Wife of Bhimal Rai.
10. Lalita Devi, Wife of Inar Rai.
11. Ramasati Devi, Wife of Ramayan Rai. Nos. 2 to 11 all residents of
Village- Barharwa Khurd, P.S. Dumariaghat, District- East Champaran at
Motihari.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate
For the Opposite Party/s : Mr. Sri Ram Bachan Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 02-05-2017 The petitioner seeks cancellation of anticipatory bail
granted to opposite parties No. 2 to 11 by order dated 13.01.2017
passed by learned 12th Additional Sessions Judge, East Champaran
at Motihari in connection with Dumariaghat P.S. Case No. 107 of
2016 registered for the offences punishable under Sections 447,
341, 323, 147, 148, 149, 324, 504, 506 and 379 of the Indian Penal
Code.



Evidently, there is case and counter case between the parties. The discretion exercised by the court below by allowing the anticipatory bail cannot be said to be improper. Secondly, there is no cogent material to show that the opposite parties are tampering with the evidence or threatening the witnesses or misusing the privilege of bail in any other manner after having been granted anticipatory bail.

I do not find it to be a fit case for cancellation of bail.
This application is accordingly dismissed.

(Chakradhari Sharan Singh, J)

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